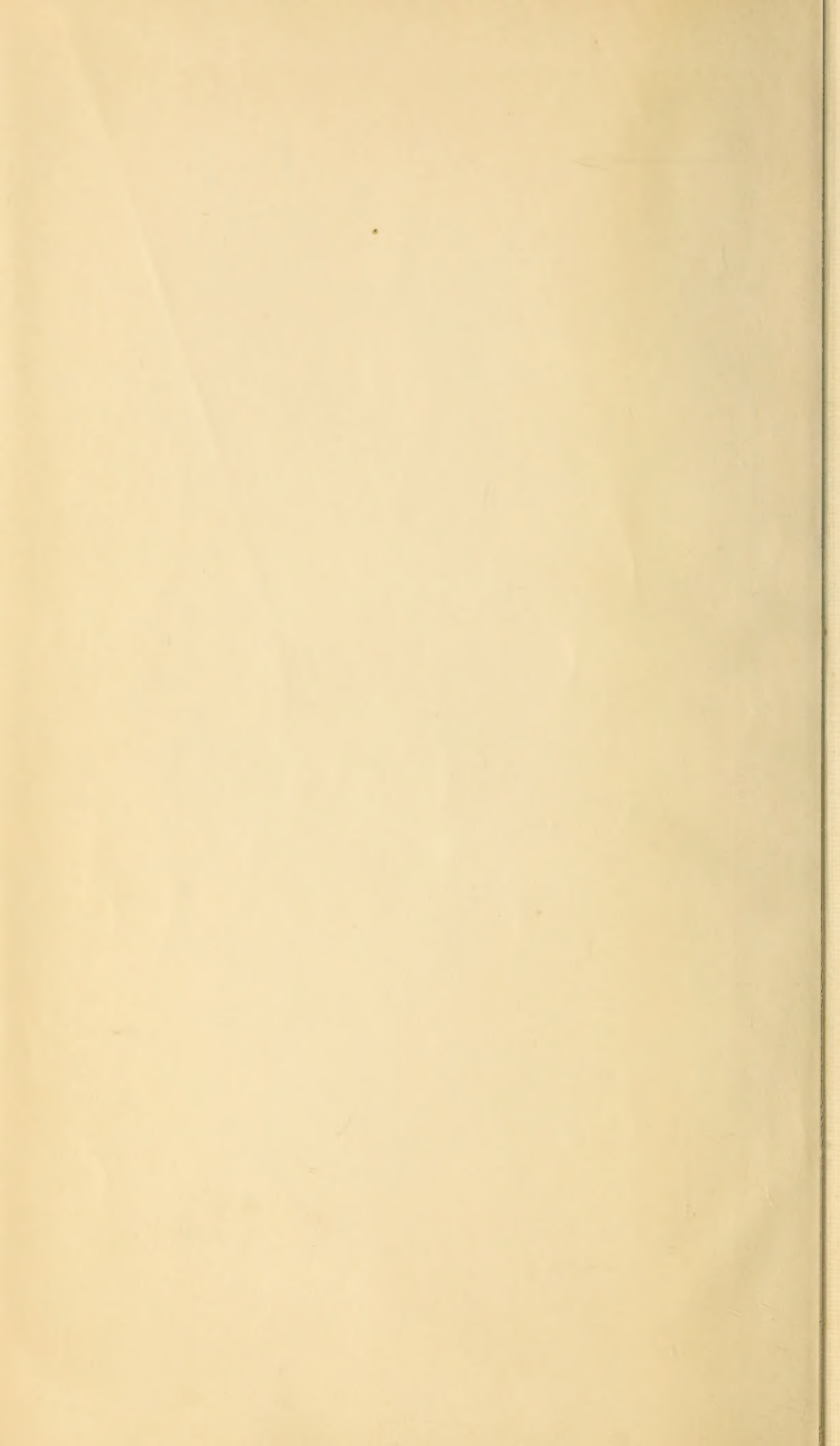


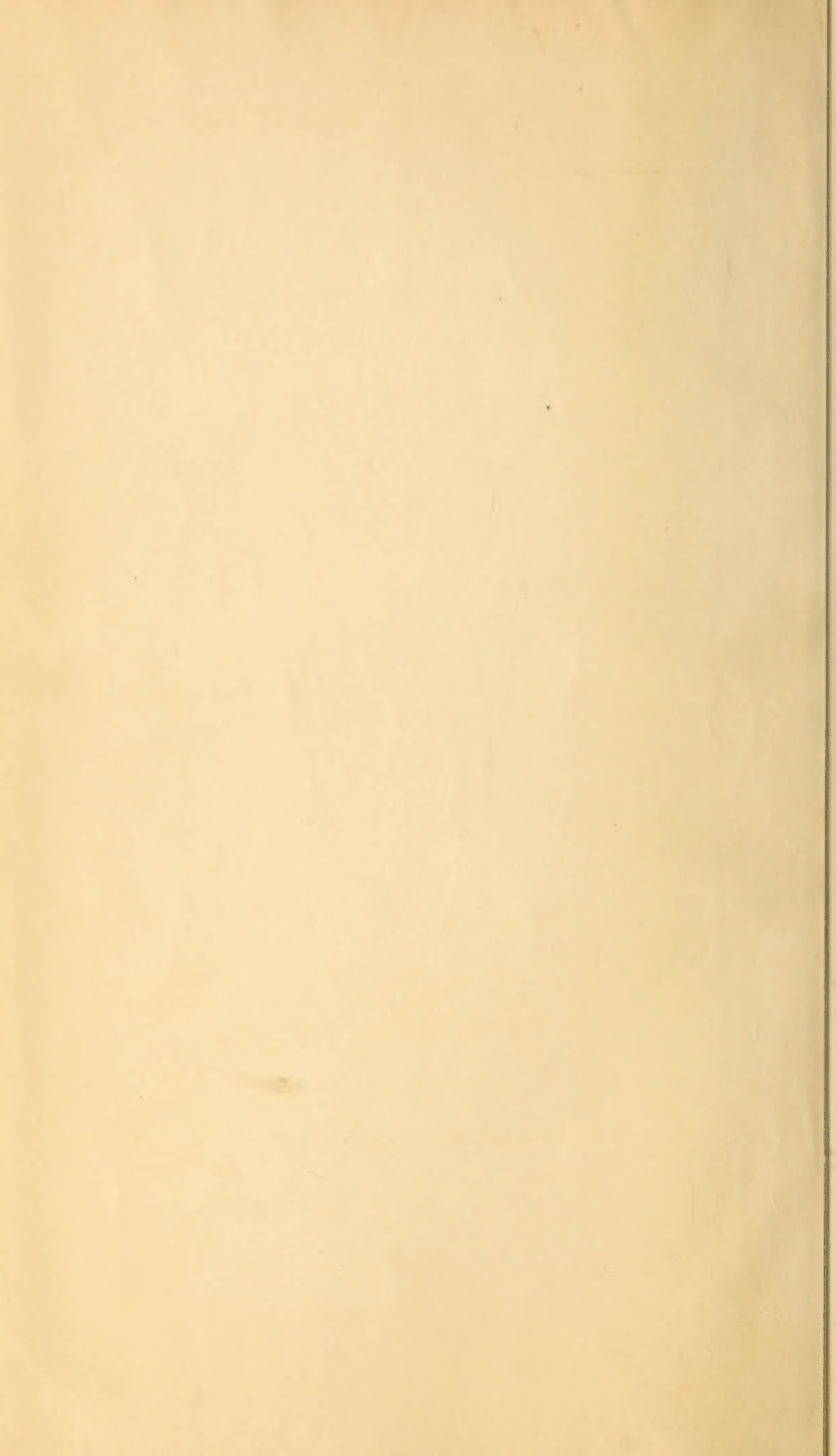
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VOTES & PROCEEDINGS

OF THE

FIFTY-FIRST

GENERAL ASSEMBLY

OF THE

STATE OF NEW-JERSEY,

AT A SESSION BEGUN AT TRENTON ON THE TWENTY-FOURTH DAY OF OCTOBER, ONE THOUSAND EIGHT HUNDRED AND TWENTY-SIX.

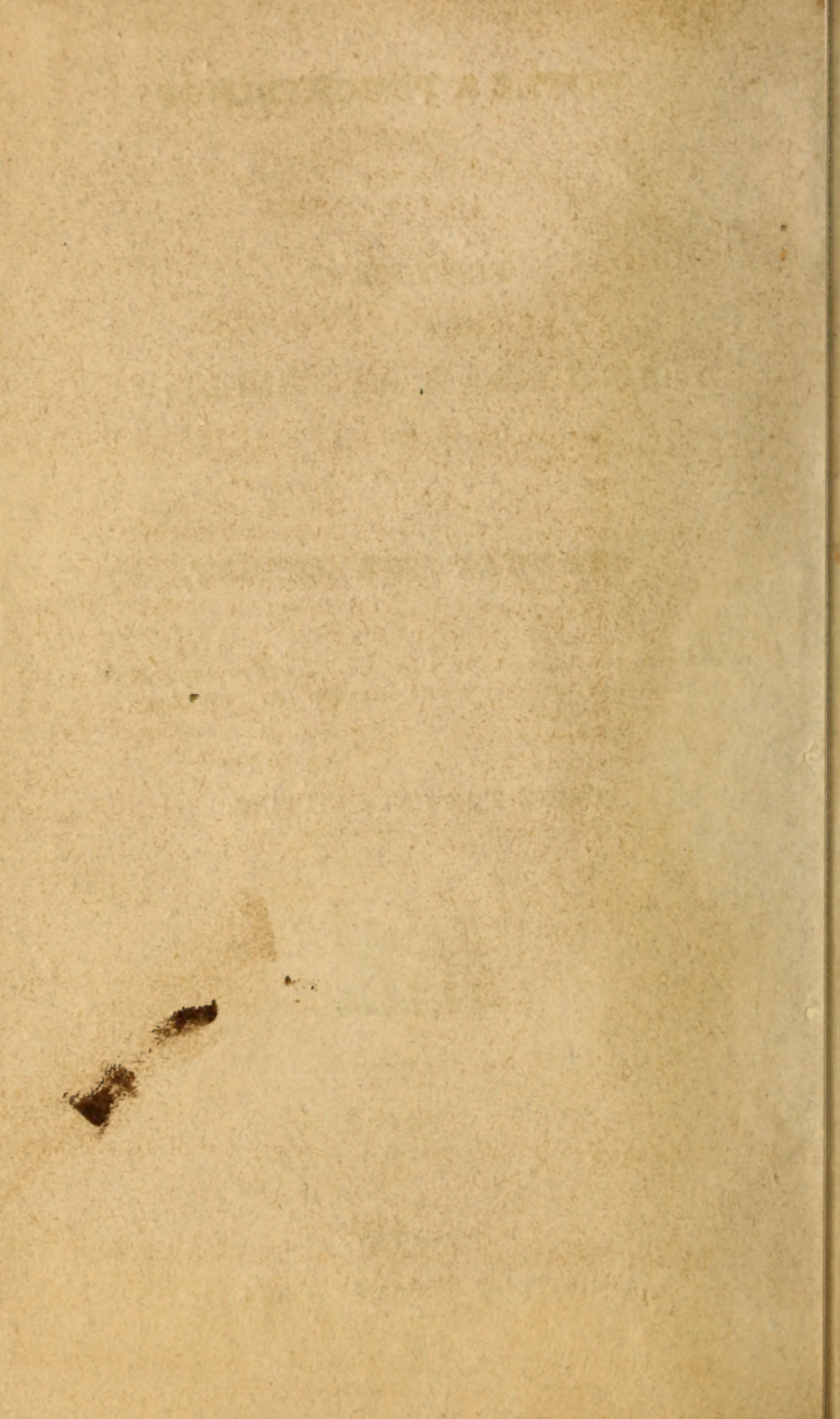
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TRENTON:

PRINTED BY WILLIAM L. PRALL.

1826.



LIST OF MEMBERS
OF THE
LEGISLATIVE COUNCIL.

BERGEN —the Honorable Charles Board.	
ESSEX,	Silas Condit.
MORRIS,	Silas Cook.
SUSSEX,	Thomas Ryerson.
WARREN,	Jeremiah Mackey.
HUNTERDON,	George Maxwell.
SOMERSET,	Andrew Howell.
MIDDLESEX,	Robert McChesney.
MONMOUTH,	Henry D. Polhemus.
BURLINGTON,	Caleb Newbold.
GLOUCESTER,	John Moore White.
SALEM,	Israel R. Clawson.
CUMBERLAND,	Ephraim Bateman, V. P.
CAPE-MAY,	Joshua Swain.

LIST OF MEMBERS
OF THE
GENERAL ASSEMBLY.

BERGEN.

Cornelius Van Winkle, David I. Christie, and Charles Kinsey;
esquires.

ESSEX.

William Stites, Amzi Dodd, Stephen D. Day, and Brant Van
Blarcom, esquires.

MORRIS.

George K. Drake, Sp., Ephraim Marsh, Joseph Dickerson, and
John D. Jackson, esquires,

SUSSEX.

Joseph Chandler and Hiram Munson, esquires.

WARREN.

Archibald Robertson and Jacob Armstrong, esquires.

HUNTERDON.

Thomas Capner, Enoch Clifford, Asa C. Dunham, and John Barton, esquires.

SOMERSET.

James D. Stryker, James S. Green, and Peter D. Vroom, esq's.

MIDDLESEX.

John T. McDowell, James Cook, and James T. Dunn, esquires.

MONMOUTH.

John T. Woodhull, Joseph Conover, James West, and James Lloyd, esquires.

BURLINGTON.

Gershom Mott, Joshua S. Earl, Isaiah Toy, and John Emley, esquires.

GLOUCESTER.

Charles French, jun., Daniel Lake, and Thomas Bee, esquires.

SALEM.

Samuel Humphreys, Benjamin Archer, and Henry Freas, esquires.

CUMBERLAND.

William B. Ewing, Nathaniel Foster, and Elias P. Seeley, esq's.

CAPE-MAY.

Joshua Townsend, esquire.

VOTES & PROCEEDINGS

OF THE

FIFTY-FIRST

GENERAL ASSEMBLY.

TRENTON, October 24, 1826.

THIS being the time and place appointed by law, for the first meeting of the General Assembly, the following persons, *to wit*: Cornelius Van Winkle, David I. Christie, and Charles Kinsey, as representatives for the county of Bergen; William Stites, Amzi Dodd, Stephen D. Day, and Brant Van Blarcom, as representatives for the county of Essex; George K. Drake, Ephraim Marsh, Joseph Dickerson, and John D. Jackson, as representatives for the county of Morris; Joseph Chandler and Hiram Munson, as representatives for the county of Sussex; Jacob Armstrong and Archibald Robertson, as representatives for the county of Warren; Thomas Capner, Enoch Clifford, Asa C. Dunham, and John Barton, as representatives for the county of Hunterdon; James D. Stryker and James S. Green, as representatives for the county of Somerset; James Cook, John T. McDowell, and James T. Dunn, as representatives for the county of Middlesex; John T. Woodhull, James Lloyd, James West, and Joseph Conover, as representatives for the county of Monmouth; Joshua S. Earl, John Emley, Gershom Mott, and Isaiah Toy, as representatives for the county of Burlington; Charles French, jun., and Thomas Bee, as representatives for the county of Gloucester; Samuel Humphreys, Benjamin Archer, and Henry Freas, as representatives for the county of Salem; William B. Ewing, Nathaniel Foster, and Elias P. Seeley, as representatives for the county of Cumberland; and Joshua Townsend, as a representative for the county of Cape-May, appeared in the House, and produced the respective certificates of their election; which being read and approved, Thomas Capner, esq., was appointed, agreeably to the constitution, to qualify George K. Drake, esq., who, being duly sworn, took his seat; and the remaining members present, being qualified by the said George K. Drake, esq., took their seats in the House.

The members proceeded to the choice of a Speaker, when *George K. Drake*, esq., was unanimously elected to that office.

The House then proceeded to the choice of a Clerk, when *William L. Prall* was unanimously chosen, and, after being qualified, took his seat at the table.

Ordered, That the clerk inform Council, that the House of Assembly have this day met, and elected *George K. Drake, esq.* their Speaker, and *William L. Prall* their Clerk, and have proceeded to business.

The House then proceeded to the appointment of a Doorkeeper, whereupon *William Gould*, *Martin C. How*, and *Samuel B. Scattergood* were nominated, and, on calling the House, the votes were as follow, viz:—

For William Gould.

Messrs. Archer,	Drake, sp.,	Marsh,
Armstrong,	Earl,	Mott,
Barton,	Emley,	Munson,
Bee,	Ewing,	McDowell,
Capner,	Foster,	Robertson,
Chandler,	Freas,	Seeley,
Christie,	French,	Stryker,
Clifford,	Green,	Townsend,
Conover,	Humphreys,	Van Blarcom,
Cook,	Jackson,	Van Winkle,
Day,	Kinsey,	West,
Dickerson,	Lloyd,	Woodhull—36.

For Martin C. How.

Messrs. Dodd,	Dunham,	Stites—3.
---------------	---------	-----------

For Samuel B. Scattergood.

Mr. Toy.

Whereupon it appearing that *William Gould*, having a majority of the whole number of votes present, he was declared to be duly appointed Doorkeeper.

Ordered, That Messrs. Green, Kinsey, and Dodd be a committee to prepare rules and regulations for the government of the House.

Ordered, That Messrs. Ewing, Woodhull, and Dunham be a committee to examine and report the unfinished business of the last session.

The House adjourned to ten o'clock to-morrow morning.

WEDNESDAY, October 25.

Ten o'clock—the House met.

Daniel Lake, a representative for the county of Gloucester, appeared, produced the certificate of his election, was qualified, and took his seat in the House.

Mr. Green, from the committee on that subject,

Reported sundry rules and regulations for the government of the House;

Which were read, and agreed to.

Mr. Ewing, from the committee appointed to bring forward the unfinished business of the last session,

Reported the following list of unfinished business on the files of the House:—

No. 1. Bill entitled, An act for the organization of the cavalry of this state.

No. 2. Bill entitled, An act to incorporate the Princeton Banking Company.

No. 3. Report concerning the division of the Upper Township of Cape-May.

No. 4. Bill entitled, An act to incorporate the New-Jersey Association for the Insurance of Houses and other Buildings from loss by Fire.

No. 5. Bill entitled, An act to facilitate and promote the education of youth.

No. 6. Bill entitled, An act to incorporate the Mechanics Bank at Orange.

No. 7. Report of the committee on the subject of a canal to connect Tuckahoe with Middle river, in the county of Gloucester.

No. 8. Bill entitled, An act to authorize the government of this state to incorporate a company for erecting a bridge over the river Delaware, at Belvidere.

No. 9. Bill entitled, An act to incorporate the Newark and New-York Canal and Steam Navigation Company, and a remonstrance against the same.

No. 10. Bill entitled, A further supplement to the act concerning roads.

No. 11. Bill entitled, An act for the more effectual administration of justice.

No. 12. Bill entitled, An act relative to the office and duties of the attorney-general of this state.

No. 13. Bill entitled, An act to repeal part of the act concerning roads.

No. 14. Report of the committee for improving the navigation of Great Timber Creek, in the county of Gloucester.

No. 15. Bill entitled, A further supplement to the act entitled An act for the settlement and relief of the poor.

No. 16. Bill entitled, An act relative to partnerships.

No. 17. Bill entitled, An act relative to habitual drunkards.

No. 18. Bill entitled, An act concerning free people of color.

No. 19. Report of the committee respecting the township of Centreville.

No. 20. Bill entitled, An act for the punishment of crimes.

No. 21. Bill entitled, An act to regulate the time and places of holding the courts of law and equity in this state.

No. 22. Bill entitled, An act to ascertain the line between the townships of Wantage and Frankford, in the county of Sussex.

No. 23. Bill entitled, A supplement to an act for the support of free-schools.

No. 24. Bill entitled, A supplement to the act entitled An act for the limitation of actions.

No. 25. Bill entitled, An act to incorporate the New-Jersey Lombard Association.

No. 26. Bill entitled, An act to incorporate a company for the purpose of rendering Crosswicks creek navigable.

No. 27. Bill entitled, An act directing the time and mode of choosing representatives in congress and electors of president and vice-president.

No. 28. Bill entitled, An act concerning the New-Jersey Colonization Society.

No. 29. Bill entitled, An act to incorporate the President, Directors, and Company of the Delaware Bank at Columbia.

No. 30. Report of the committee respecting a drawbridge over Great Mantua Creek, in Gloucester county.

No. 31. Report of the committee on the petition of certain inhabitants of the township of New-Barbadoes, in the county of Bergen, praying for a law to prevent persons indiscriminately pasturing a tract of salt marsh and meadow, situate in the forks of Berry's Creek and Hackensack river, in said township.

No. 32. Report of a committee on application of John H. Lane and others, complaining of the official conduct of William Dellicker, esq., one of the justices of the peace of the county of Morris.

Which report was read, and ordered to lie on the table.

A message from Council, dated the 24th inst., by Mr. Coleman, their secretary, informed the House, that the Council have this day met, formed a quorum, elected Ephraim Bateman, esq., their vice-president, and Daniel Coleman, esq., their secretary, and proceeded to business.

On motion of Mr. Ewing, it was ordered, that a committee be appointed to receive proposals, from the several printers, for the public printing of the legislature, and report thereon; and Messrs. Ewing, Earl, and Dunham were accordingly appointed.

Ordered, That Messrs. Kinsey, McDowell, Toy, Stites, and Seeley be a committee to settle the accounts of the state-prison.

Ordered, That Messrs. Capner, Green, Robertson, Dodd, and Archer be a committee to settle the accounts of the treasurer.

Ordered, That Messrs. Woodhull, Bee, and Townsend be a committee to bring in a support bill.

Ordered, That Messrs. Earl, Dunham, and Chandler be a committee to bring in an incidental bill.

Ordered, That Messrs. Stryker, Cook, and Christie be a committee to prepare a tax bill.

Ordered, That the clerk inform Council of the appointment of the two first named committees, and request Council, on their part, to appoint correspondent committees.

The House took up the list of unfinished business reported by the committee, which was disposed of as follows:—

No. 5, was committed to Messrs. Dodd, Marsh, and Van Winkle.

No. 11, was committed to Messrs. Earl, Dodd, and Ewing.

No. 15, was committed to Messrs. Marsh, Dunn, and Lloyd.

No. 18, was committed to Messrs. Dunham, Lake, and West.

No. 22, was committed to Messrs. Chandler, Armstrong, and Day.

No. 28, was committed to Messrs. Green, Woodhull, and Foster.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Dodd presented a petition from the last grand jury of the county of Essex, praying for a change in the organization of the county courts, and for the revival of the district system of 1818;

Which was read, and referred to Messrs. Earl, Dodd, and Ewing, the committee to whom was referred the bill, for the more effectual administration of justice.

Mr. Chandler presented several petitions, on the same subject, from the grand jury of the county of Sussex, the judges of the court, the assessors of the several townships, and citizens of the said county;

Mr. Marsh presented petitions from the grand jury of Morris county; and

Mr. Robertson a petition from the grand jury of Warren county.

All praying for the alteration of the present county court system;

Which were together referred to the first named committee.

Mr. Ewing, from the committee on the subject of disposing of the public printing,

Reported the following resolution:

Resolved, That William L. Prall be appointed to print the bills, reports, &c. of this House the present sitting, at four dollars per sheet;

Which resolution was read, and agreed to.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have appointed Messrs. Howell and Clawson a committee, on their part, to settle the accounts of the treasurer, and Messrs. Cook and White a committee to settle the accounts of the state-prison.

Mr. Toy offered the following resolution :

Resolved, That the clerk inform Council, that this House is ready to go into a joint-meeting for the purpose of appointing a governor, senator, clerks, and surrogates of counties, and such other officers as may be deemed expedient, and request Council to appoint the time and place of said meeting ;

Which resolution was read, agreed to, and the clerk ordered to inform Council accordingly.

The House adjourned to ten o'clock to-morrow morning.

THURSDAY, October 26.

Ten o'clock—the House met.

Peter D. Vroom, jun., a representative for the county of Somerset, appeared, produced the certificate of his election, was qualified, and took his seat in the House.

Mr. Chandler presented a petition from the chosen freeholders of the townships of Wantage and Frankford, in the county of Sussex, praying for a law to establish the boundary line between the said townships ;

Which petition was read, and referred to Messrs. Chandler, Armstrong, and Day, the committee to whom the bill on that subject was referred.

Mr. Lloyd presented a petition from sundry inhabitants of Monmouth county, praying for the passage of a law to prevent the citizens of other states from fishing on the shores of New-Jersey with seines or nets :

Which petition was read, and committed to Messrs. Lloyd, Emley, and Lake.

Mr. Earl and Mr. Toy severally presented petitions from inhabitants of Burlington county, praying for a law to compensate jurors ;

Which petitions were read, and referred to Messrs. Earl, Dodd, and Ewing, the committee to whom was referred the bill for the more effectual administration of justice.

Mr. Christie presented a petition from the heirs of Cornelius Van Horn, praying for authority to execute a title for land ;

Which petition was read, and committed to Messrs. Christie, Vroom, and Freas.

Mr. Earl presented the report of William Irick, Joshua Sharp, and Joshua S. Earl, commissioners appointed by virtue of an act of the last legislature, to provide for the safe keeping of the records in the surveyor-general's office of the western division of New-Jersey ;

Which report was read, and ordered to lie on the table.

Mr. Ewing submitted the following resolution :

Resolved, That the chairs in the Assembly room be furnished with cushions, under the direction of the clerk of the House ;

Which resolution was read, and agreed to.

No. 21, of unfinished business, a bill to regulate the times and places of holding the several courts of law and equity in this state,

Was called up, and committed to Messrs. Green, Dodd, and Seeley.

No. 13, of unfinished business, a bill to repeal part of the act concerning roads,

Was called up, and committed to Messrs. Lloyd, Clifford, and Mott.

The House adjourned to three o'clock in the afternoon.

Three o'clock--the House met.

The report of the commissioners appointed to provide for the safe keeping of the records of the surveyor-general's office of West Jersey,

Was called up, and committed to Messrs. Ewing, Vroom, and Van Blarcom.

Mr. Cook submitted the following resolution :

Resolved, That a committee be appointed to inquire, whether any, and if any, what alterations are necessary to be made in the militia law, with leave to report by bill or otherwise ;

Which resolution was read, agreed to, and Messrs. Cook, Ewing, Green, Kinsey, and Jackson accordingly appointed.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council are ready to go into a joint-meeting for the purpose of appointing a governor, clerks, and surrogates of counties, and such other civil officers, the re-appointment of whom may be deemed necessary, on the 27th instant, at three o'clock P. M. in the Assembly room ;

Which message was read, disagreed to by the House, and the clerk ordered to inform Council accordingly.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council do *insist* on their amendment to the message from the House of Assembly, relative to the proposed joint-meeting ;

Whereupon the House resolved, to *recede* from their disagreement to the amendment made by Council to the message from the House, and the clerk was ordered to inform Council accordingly.

The House then proceeded to make their nominations to the several offices therein named, a duplicate of which was sent to Council, and

The House adjourned to ten o'clock to-morrow morning.

FRIDAY, October 27.

Ten o'clock—the House met.

Mr. Earl presented the general abstract of ratables of Burlington county ;

Mr. McDowell presented the abstract of Middlesex county ;

Which were together ordered to lie on the table.

Mr. Ewing presented the remonstrance of certain inhabitants of Cumberland county, complaining of the conduct of the commissioners of the New-Jersey Delaware Oyster Company, and praying the repeal or alteration of the law incorporating said company :

Which remonstrance was read, and committed to Messrs. Ewing, Dodd, Vroom, Toy, and Capner, with power to send for persons and papers.

Ordered, That the clerk carry said remonstrance to Council, inform them of the appointment of the aforesaid committee, and request Council, on their part, to appoint a correspondent committee.

Mr. Dodd presented the petition of Sarah Morris, of Essex county, praying to be divorced from her husband :

Which petition was read, and committed to Messrs. Dodd, Dickerson, and Conover.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed a bill entitled. An act to authorize Nancy Bonnel and Foster Day, administrators of Sylvanus Bonnel, deceased, to fulfil a contract for the sale of a certain tract of land and premises, made by the said Sylvanus Bonnel with Lynde Catlin—

To which bill they request the concurrence of the House of Assembly :

Which bill was read a first and second times, with the accompanying documents, gone through by section, and ordered a third reading.

No. 1, of unfinished business, a bill for the better organization of the cavalry of this state,

Was called up, and committed to Messrs. Cook, Ewing, Green, Kinsey, and Jackson, the committee on the subject of the militia system.

No. 10, of unfinished business, A further supplement to the act concerning roads,

Was called up, and committed to Messrs. Stites, Green, and French.

No. 23, of unfinished business, A supplement to an act to create a fund for the support of free-schools,

Was called up, and committed to Messrs. Toy, Dunn, and Munson.

No. 20, of unfinished business, was dismissed.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. McDowell presented the petition of William L. Johnson and Robert Boggs, a committee on behalf of the Convention of the Protestant Episcopal Church in New-Jersey, praying that the convention of said church may be incorporated;

Which petition was read, and committed to Messrs. McDowell, Barton, and West.

Mr. Ewing, from the committee to whom was referred the report of William Irick, Joshua Sharp, and Joshua S. Earl, commissioners appointed by the act entitled, An act to provide for the safe keeping of the records in the surveyor-general's office of the eastern and western divisions of the state of New-Jersey, and the accounts and vouchers accompanying the same,

Reported, That they have examined said accounts and vouchers, and find them satisfactory. The amount expended exceeds the appropriation, by law, one hundred dollars and seventy-five cents. The repayment of this amount to the commissioners, the committee recommend should be provided for in the incidental bill;

Which report was read, and ordered to lie on the table.

Mr. Christie, from the committee on the petition of the heirs and devisees of Cornelius Van Horn, of Bergen county, deceased,

Reported a bill entitled, An act to confirm the last will and testament of Cornelius Van Horn, late of the township of Franklin, in the county of Bergen, deceased;

Which bill was read, and ordered a second reading.

Council came into the Assembly room, the two houses went into a joint-meeting, and, after going through their appointments, the joint-meeting rose, the speaker resumed the chair, the House came to order, and

Adjourned to ten o'clock on Monday morning.

MONDAY, October 30.

Ten o'clock—the House met.

Mr. Stites presented a petition from a large number of the citizens of Essex county, praying the passage of a law to remunerate the owners of lands for the loss they sustain by public roads being laid out over the same;

Which petition was read, and committed to Messrs. Stites, Green, and French, the committee to whom the bill on the same subject was referred.

Mr. French, of Gloucester, Mr. Robertson, of Warren, Mr. Chandler, of Sussex, and Mr. Freas, of Salem, each presented the general abstract of ratables of their respective counties;

Which together were ordered to lie on the table.

Mr. Earl, from the committee on No. 11, of unfinished business, *Reported* the same; which was dismissed.

Mr. Earl also reported a bill, as a substitute for the former, entitled, An act to amend the judicial system of this state;

Which bill was read, ordered a second reading, and to be printed.

Mr. Chandler, from the committee on No. 22, of unfinished business, a bill entitled, An act to ascertain the line between the townships of Wantage and Frankford, in the county of Sussex,

Reported the same, without amendment;

Which bill was read, ordered a second reading, and to be printed.

The bill from Council entitled, An act to authorize Nancy Bonnel and Foster Day, administrators of Sylvanus Bonnel, deceased, to fulfil a contract for the sale of a certain tract of land and premises, made by the said Sylvanus Bonnel with Lynde Catlin,

Was read a third time.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

Ordered, That the clerk inform Council that the House have passed said bill,

Without amendment.

A message from Council, by Mr. Ryerson, acting secretary, (in consequence of the indisposition of Mr. Coleman) informed the House, that the Council have agreed to the request of the House of Assembly, for the appointment of a correspondent committee with that of the House of Assembly, to whom was referred the remonstrance from certain inhabitants of Cumberland county, complaining of the conduct of the commissioners of the New-Jersey Delaware Oyster Company, and have appointed Messrs. Polhemus and Swain a committee on the part of Council.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

The speaker laid before the House the following communication from his excellency the governor.

TRENTON, October, 1826.

Gentlemen of the Legislature,

I lay before you a letter from the governor of the state of New-York, respecting the arrest of a ministerial officer of that state, for serving a judicial process within the limits of New-Jersey, in violation of the act of the legislature, to preserve and support the jurisdiction of this state, and a copy of my answer thereto.

Also a letter, on the same subject, addressed to me by Joseph W. Scott, esq., attorney for the state, together with a copy of the bill of indictment, found by the grand jury of the county of Middlesex, against the officer before alluded to.

As I do not consider myself invested with power to comply with the request made of the government of New-Jersey, except by my advice upon the subject to the attorney prosecuting for the state. I consider it my duty to lay the before mentioned papers before the legislature, at an early day in the session, that they may, if they think proper to interfere, adopt such measures, in relation to the prosecution, as they may deem expedient.

ISAAC H. WILLIAMSON.

Which communication, together with the accompanying documents, were ordered to lie on the table.

The bill entitled, An act to confirm the last will and testament of Cornelius Van Horn, late of the township of Franklin, in the county of Bergen, deceased,

Was read a second time, gone through by section, and ordered to be engrossed.

The House adjourned to ten o'clock to-morrow morning.

TUESDAY, October 31.

Ten o'clock—the House met.

Mr. Day presented the Essex county abstract;

Which was ordered to lie on the table.

Mr Stites presented the memorial of Peter Kean, L. Baker, and Francis Stanton, a committee acting in behalf of the managers and stockholders of the Delaware and Raritan Canal Company, praying the repayment to them of the bonus of \$100,000, now in the hands of the state treasurer, on account of the alleged non-obtainment of such a consent of Pennsylvania, to use the waters of the Delaware for a feeder, as was contemplated by the act of incorporation; also certain documents on the same subject;

Which were read, and together ordered to lie on the table.

Mr. McDowell presented the petition of Ferdinand S. Van Arsdalen, administrator *de bonis non et cum testamento annexo* of Cornelius Cornell, late of Middlesex county, deceased, praying for a law to authorize him to sell and execute conveyances for the real estate of said deceased;

Which petition was read, and committed to Messrs. McDowell, Foster, and Lloyd.

Mr. Ewing presented the memorial of a number of the stockholders, owning 439 shares of the stock of the New-Jersey Delaware Oyster Company, deprecating the alteration or repeal of the act of incorporation, and praying that the law incorporating said company may not be altered or repealed;

Which memorial was read, and referred to the committee to whom was referred the remonstrance on that subject.

The speaker laid before the House the following report of William Pennington and Peter Kean, surviving trustees of the late New-Jersey Protection and Lombard Bank, containing a statement of their proceedings, and detailing the situation of the affairs of said late institution.

To the Honorable the Legislative Council and General Assembly of the State of New-Jersey.

The undersigned, surviving trustees of the late New-Jersey Protection and Lombard Bank, in obedience to the requirements of the acts of the legislature constituting them trustees, make the following statement of their proceedings:—

The act does not contemplate, as we suppose, that we should, in this statement, give a particular account of each settlement or negotiation relative to the affairs of this bank. This would be not only tedious, but entirely unnecessary, as our accounts are finally to be examined and adjusted by the chancellor of the state. All we shall attempt in this report will be, to exhibit the general course of our transactions, the rules we adopted as to our course of conduct in effecting settlements with the debtors of the bank, and the results of the whole, so far as to shew what we have accomplished in regard to the trust funds.

Our first object, after being apprized of our appointment, was to secure and take into our possession all the property and effects of the bank. We have every reason to believe that we obtained all the property of the bank in the possession or under the control of the cashier, and all that in the hands of persons in New-York, except a small amount which we have never been able to obtain.

For an account of the property thus received, the legislature is respectfully referred to the annexed duplicate of an inventory of the property of the late New-Jersey Protection and Lombard Bank, laid before the chancellor, as required by law.

After securing the cash and current bills, in the custody of the cashier, and obtaining from him all notes, checks, and other evidences of demands of the bank against individuals, and also taking

into possession the goods and merchandise at Jersey City, which had been pledged to secure the payment of debts, we proceeded to count and take into custody all the bills of the bank which were in the banking-house, as well those that had been in circulation as those which had never been issued. These bills amounted to the sum of \$186,664.22. This service was considered by us as indispensable, in order to ascertain with accuracy the amount of bills then in circulation. The cashier had, very properly and prudently, kept an account of the bills issued, which left, after deducting the amount on hand, according to that statement, bills in circulation to the amount of \$160,271.41. We take this opportunity of stating to the legislature, that we have found it necessary to employ Edward C. Priest, esq., the cashier of the bank, in our service;—and our intercourse with him has increased our confidence in him as a man of integrity and character. He assures us, that no bills have ever been signed by him, or issued by the bank, except those contained in the above statements;—we believe the circulation, therefore, to be truly and correctly ascertained. The books of the bank, also kept by the cashier, shew the amount of deposits, by sundry persons, at that time, to have been \$11,280.49. Besides these two sums, sundry mechanics have presented small claims against the company for paper, engraving, &c., amounting in the whole to \$760.10. These constituted, as far as we can ascertain and believe, the debts of the bank at the time of its failure, excepting claims arising from policies of insurance against loss by fire, which had been issued by the company, to the amount of \$128,100; but as most of these policies have now expired without any loss having been sustained, to our knowledge, and as most of the assured insured in other companies after the failure of this institution, we do not apprehend much, if any claim against the trust fund from that quarter.

The bank never owned any real estate, as far as we know or believe, but carried on their business at a banking-house, held under two leases, at Jersey City, repaired by the company at great expense; which leases, at the time of the failure of the bank, had several years to run. We sold the unexpired term in these leases at public auction, to the Morris Canal and Banking Company, for \$1,300, which was duly paid. We sold the merchandise pledged as security for loans at public auction, at Jersey City, conforming ourselves to the rules expressed in the charter of the company, regulating those sales, and have every reason to believe that this property brought a fair price.

After receiving additional powers, by the supplemental act passed by the legislature, to compound and settle with any of the debtors of the bank, upon such terms, and in such manner as might, in our discretion, be most to the advantage of the persons interested in the funds and property of the bank; and, in case of mutual dealings between the bank and individuals, to allow of set-offs wherever the same ought to be allowed, either according to law or equity, feeling it very important to avoid, as far as practicable, any recourse to lawsuits, we gave notice in the public newspapers of the city of

New-York to all persons having dealings with the bank, that we would meet at the banking-house at Jersey City to settle its affairs. In pursuance of such notices, repeated at different times, we met for many weeks together at Jersey City, and for a short time, also, in the city of New-York, to adjust the transactions of the bank; had many conferences with its dealers, and made several settlements and arrangements advantageous to the trust fund. We went so far, in many instances, as to send to the dealers, and to call on them personally, when within our reach. The rules to be adopted in relation to set-offs, under the discretionary power vested in us by the supplemental act, became a subject of great importance, and not without some difficulties. We were advised by counsel, that it would be equitable, where we had a demand against a person who had a deposit in the bank, to allow such deposit by way of set-off; that where we had a demand against a person who was the *bona fide* holder of the Lombard Bank bills, which he held at the time the bank stopped payment, and which cost him their nominal value, we should take such bills at their face, by way of set-off, and we have acted, in both cases, accordingly. And, under the general powers conferred upon us by the said supplementary act, to compromise and compound debts and demands, we have, in several cases, where, under all the circumstances, we believed it the best thing that could be done, taken Lombard Bank bills from the debtors, in part or in full of our demands, without regard to the sum paid for them, or at what time the debtor acquired them. It may have happened that in some of these transactions, where Lombard bills have been received by way of set-off, or where they have been received, by way of compromise, from persons supposed to be insolvent in their circumstances, that we have been imposed upon, or fallen into mistakes. Every person will see, that, under the circumstances of this bank, and the character for solvency of many of its dealers, to exercise the discretion conferred upon us was a task of great difficulty and uncertainty. All we can say upon this subject is, that in every case we obtained the best information we could, proceeded with as much circumspection as we possessed, and acted according to the best judgment we could form, always having in view the interest of the creditors and stockholders for whom we are trustees.

After exhausting every effort at settlement, many claims remained unsettled, and the parties, in many instances, absolutely refused to come to any adjustment whatever. Nothing remained for us in these cases but to give up the demand, or have recourse to the courts of law and equity for redress; and our rule in bringing suits has been, not to be intimidated by any defence that a man might pretend to have, but not to commence a suit unless at the time of bringing it we could have some strong probability that the defendant could pay something at the end of the suit, if we succeeded in obtaining a judgment.

To aid us in conducting suits, and for general advice respecting the transactions of the trust, we have found it necessary, and have accordingly retained counsel, both in the city of New-York and in

this state, employing such gentlemen in the profession as were known to us to be men of learning and integrity. Several suits have been commenced in the city of New-York, and four suits in this state. They are now progressing as fast as circumstances and the obstinate defences which are made will admit of. How soon they will be closed we cannot say—we must take in court the fate of all suitors. We have settled all the affairs of the institution, except such matters as are in a course of legal determination, or those cases where the absolute insolvency of the parties renders a suit inexpedient. Our attention has lately been directed to expedite the suits, and to effect such settlements as might diminish their number.

The foregoing history of our proceedings, probably contains all that is material to precede the following statements and results:—

	Dols.	Cts.
Amount of bills in circulation on the 30th November, 1825,	\$160,271.41	
Amount due to sundry persons, for deposits made by them,	11,280.49	
Claims since presented by mechanics, for paper, engraving, &c.,	760.10	
	<hr/>	172,312
Amount of deposits allowed and paid on various settlements,	\$6,836.52	
Amount of deposits, where the depositors are still indebted to the bank in larger amounts than their deposits, which accounts are not yet arranged,	3,396.94	
Amount of Lombard Bank bills received by us in settling thus far the transactions of the bank, some by way of offset, and some by way of payment,	61,364.19	
	<hr/>	71,597 65
		<hr/>
		100,714 35
		<hr/>

Incidental claims of unexpired policies of insurance, to the amount of \$9,000.

From the above stated result of one hundred thousand seven hundred and fourteen dollars and thirty-five cents, there should be deducted five thousand dollars of the bills of the bank, mentioned in our last report as in the hands of William C. Garrison, of Norfolk; which bills are enjoined by the chancellor of New-York, and can never, as we believe, claim any dividend from the trust fund.

Amount of cash now in our hands, and deposited to the credit of the trustees, in the Newark Banking and Insurance Company, the State Bank at Newark, and the State Bank at Elizabeth, is forty-five thousand four hundred and twenty-one dollars and eight cents,

From the amount of money now in our hands must be deducted the expenses of this trust, including the costs of carrying on suits.

It is impossible for us to furnish any correct information as to the result of the suits commenced. There are several grounds of defence taken;—how the facts will turn out upon trial, we cannot say; much less, what will be the judgment of the different courts as to the law arising upon those facts. From the best information we can obtain, we have great reason to fear that many of the persons sued will turn out insolvent.

It will be recollected by the legislature, that the acts constituting us trustees, confer no power upon us to distribute this fund, when collected, among the creditors; but, after collecting the debts, and selling the property, we are directed to pay the money into the Court of Chancery, to be disposed of by the chancellor equitably amongst the creditors of the company. The act, as we understand it, contemplates that we should not pay this money into the Court of Chancery for distribution until we are ready to settle our final accounts, and close our duties. The money in our hands is ready to be disposed of in any way most for the advantage of the creditors; and we shall take the earliest opportunity of consulting the chancellor, as to the propriety of paying a portion of it into the Court of Chancery for immediate distribution, or, at all events, that steps be taken in that court for ascertaining and proving the several claims against the company; to the end, that, upon the money being paid into court, the rights and claims of the parties interested may be speedily adjusted.

We have to mention, in concluding this report, the death of our colleague, Caleb S. Riggs, esq., which took place on the 26th of June last. It is due to the memory of this much lamented individual, to say, that his indefatigable zeal and persevering exertions in the prosecution of this business, his clear and comprehensive views on every subject of difficulty, and his great weight of character, both at home and in New-York, have been of the greatest service to us and the interests committed to our charge.

All which is respectfully submitted.

WILLIAM PENNINGTON, } *Surviving*
PETER KEAN, } *Trustees.*

Dated October 23, 1826.

Which report was read, and, together with the accompanying inventory, ordered to lie on the table.

Mr. Dodd, from the committee on the petition of Sarah Morris,

Reported a bill entitled, An act to divorce Sarah Morris from her husband Dennis Morris;

Which bill was read, and ordered a second reading.

The report of the committee of the House, on the report of the commissioners appointed by law, to provide for the safe keeping of the records of the surveyor-general's office, approving said report, and recommending that the balance of their accounts be provided for in the incidental bill,

Was called up, and agreed to.

The engrossed bill entitled, An act to confirm the last will and testament of Cornelius Van Horn, late of the township of Franklin, in the county of Bergen, deceased,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

Mr. Freas submitted the following resolution:

Resolved, That a committee be appointed to inquire into the expediency of repealing the present militia law of this state, and to report by bill or otherwise;

Which resolution was read, agreed to, and referred to the committee on the subject of revising the present militia system.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Toy, from the committee to whom was referred No. 23, of unfinished business, a bill entitled, A supplement to the act entitled An act to create a fund for the support of free-schools,

Reported the same, without amendment.

And the committee further reported, that the said bill is, in its most essential features, nearly connected with the militia laws of this state; and they therefore have thought proper to recommend, that it be referred to the committee appointed to inquire, what alterations are necessary in the militia law? and that this committee be added to the said committee on the militia law;

Which report was read, and agreed to.

Mr. Green presented the memorial of sundry inhabitants of this state, in favor of the state subscribing to the stock of the Delaware and Raritan Canal, and soliciting the legislature to take such measures as will ensure the speedy accomplishment of the work.

Mr. Capner, of Hunterdon, Mr. Cook, of Middlesex, and Mr. Mott, of Burlington, severally presented petitions on the same subject; which, together with the memorial presented this morning by a committee of managers of the Delaware and Raritan Canal Company, praying the restoration of the bonus of \$100,000, were referred to Messrs. Vroom, Cook, Dodd, Archer, and Ewing.

No. 24, of unfinished business, a bill entitled, An act for the limitation of actions,

Was called up, and committed to Messrs. Mott, Stites, and Lake.

No. 16, of unfinished business, a bill entitled, An act relative to partnerships,

Was called up, and committed to Messrs. Green, Dunham, and Van Winkle.

In pursuance of leave given at the last session, Mr. Van Winkle presented a bill entitled, An act for erecting the county of Pompton from parts of the counties of Bergen and Morris;

Which bill was read, ordered a second reading, and to be printed.

The bill entitled, An act to amend the judicial system of this state,

Was read a second time, progressed in by section, and postponed.

The House adjourned to ten o'clock to-morrow morning.

WEDNESDAY, November 4.

Ten o'clock—the House met.

Mr. Van Winkle presented a petition from certain inhabitants of Bergen county, praying an alteration of the judicial system of this state;

Which was ordered to lie on the table.

Mr. Chandler presented the petition of Aaron Decker, esq., of Walpack, in Sussex county, and also a petition from a number of the inhabitants of said county, praying for a law to legalize and validate the acts of the said Aaron Decker, as a commissioner, in said county;

Which petition was read, and committed to Messrs. Chandler, Green, and Robertson.

Mr. French presented a petition from the owners of a tract of meadow, lying on the east side of Rackoon creek, in Woolwich township, Gloucester county, praying for a law to authorize the embankment of said meadows;

Which petition was read, and committed to Messrs. French, Mott, and Freas.

Mr. McDowell, from the committee on the petition on that subject,

Reported a bill entitled, An act to incorporate the Convention of the Protestant Episcopal Church in the state of New-Jersey;

Which bill was read, and ordered a second reading.

Mr. Mott, from the committee on No. 24, of unfinished business, a bill entitled, An act for the limitation of actions,

Reported, That, in their opinion, it is inexpedient to alter the present law on that subject;

Which report was read, and agreed to, and the bill dismissed.

Mr. Townsend, agreeably to leave given at the last session, presented a bill entitled, An act to establish a new township in the county of Cape-May, to be called the township of Dennis;

Which bill was read, ordered a second reading, and to be printed.

Mr. Jackson, with leave, presented a bill entitled, A supplement to the act entitled An act for the preservation of sheep, passed the 9th day of June, 1820;

Which bill was read, ordered a second reading, and to be printed.

No. 17, of unfinished business, a bill entitled, An act relative to habitual drunkards,

Was called up, and committed to Messrs. Stryker, Dunn, and Barton.

The bill entitled, An act prescribing the boundary line between the townships of Wantage and Frankford, in Sussex county,

Was read a second time, progressed in by section, and postponed.

The report of the trustees of the late New-Jersey Protection and Lombard Bank,

Was called up, and 125 copies of the same ordered to be printed.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Dodd presented the petition of Theodore Frelinghuysen, president, on behalf of the board of trustees of the African Education Society, for an act to increase the number of the trustees of said society, and praying, also, the appropriation of a part of the school fund for the use of said society;

Which petition was read, and committed to Messrs. Dodd, French, and Dunham.

Mr. Capner, from the joint-committee of Council and Assembly, appointed to effect a settlement of the accounts of the treasurer, made the following general report:—

We, the committee of Council and Assembly, appointed to settle the treasurer's accounts, having examined the same, with the vouchers relative thereto, do find them correctly stated.

The balance in the hands of the treasurer, on account of the state, is one hundred and thirty-four thousand nine hundred and ninety-seven dollars and nine cents; which balance consists of the following particulars:—

\$27,146.58, as per certificate of committee.

6,131.02, due from P. Gordon, late treasurer.

7.49, due from oyster rents.

\$33,285.09,

Carried forward.

\$23,285.09, Amount brought forward.
 150.00, due from Paterson congregation.
 100.00, due from the State Bank at Newark.
 462.00, due from the State Bank at Trenton.
 1,000.00, bond from Thomas Gordon.
 100,000.00, invested in public stocks of the U. States.

\$134,997.09

This balance embraces one hundred thousand dollars, received by the treasurer from the Delaware and Raritan Canal Company, as reported by the committee on the treasurer's accounts the last session.

The treasurer has invested in public stock the sum of one hundred thousand dollars, and in so doing, in the opinion of the committee, has acted correctly. The committee have been informed by the treasurer, that a surplus of the public moneys often remains in his hands unproductive, for want of some provision in the law to authorize him to invest the said surplus. The committee would therefore recommend the passing of some act to authorize him to invest said surplus.

The committee would also report, that the secretary of state has not, in several instances, complied with the requirements of the act passed at the last session of the legislature, entitled, A further supplement to the act entitled An act respecting the office of treasurer, and would recommend the appointment of a committee to inquire more fully into the same.

The committee would call the attention of the legislature to the large amount of money annually paid by the treasurer for inquisitions, and would recommend an inquiry into the same.

A. HOWELL,
 I. R. CLAWSON,
Committee of Council.

THOMAS CAPNER,
 JAS. S. GREEN,
 A. ROBERTSON,
 AMZI DODD,
 BENJ. ARCHER,

Committee of Assembly.

Mr. Capner also reported the following certificate:—

The joint-committee of the Council and Assembly, appointed to settle the accounts of the treasurer of the state, do hereby certify, that they have carefully examined the said accounts, and find them regularly and correctly settled and balanced, and have ascertained that the evidences of the public stock, securities, and other effects are actually in the treasury.

The balance in the hands of the treasurer, they find to be the

sum of twenty-seven thousand one hundred and forty-six dollars and fifty-eight cents, standing to his credit, as treasurer of the state, in various banks, and otherwise accounted for, as follows :—

In the State Bank at Newark,	- - -	\$2,472.30
In the State Bank at Elizabeth,	- - -	1,079.64
In the State Bank at Morris,	- - -	877.16
In the Cumberland Bank,	- - -	914.44
In the Salem Banking Company,	- - -	1,000.00
In the Sussex Bank,	- - -	1,073.02
In the Newark Banking and Insurance Co.,		3,063.39
In the Trenton Banking Company,	-	16,206.63
Advanced to John Wilson, esq., for repairs to chancery office, pursuant to law, and for which the treasurer has not received credit in his accounts,	- - - - -	400.00
Advanced to Francis S. Wiggins, for printing,		60.00
		<hr/>
		\$27,146.58
		<hr/>

The committee further certify, that the amount advanced from the treasury, and invested for the benefit of the school fund, has exceeded the income of that fund in the sum of three thousand two hundred and fifty-two dollars and ninety-nine cents, and that that amount is due from the school fund to the treasury.

All which is certified and submitted agreeably to law.

A. HOWELL,
I. R. CLAWSON,
Committee of Council.

THOMAS CAPNER,
JAS. S. GREEN,
A. ROBERTSON,
AMZI DODD,
BENJ. ARCHER,
Committee of Assembly.

The committee also reported the following detailed statement of the accounts of the treasurer for the past year :—

DR. *Charles Parker, Treasurer, in Account Current with*
1825. Dols. Cts.

1825.

	Dols.	Cts.
1890	1	00
1891	1	00
1892	1	00
1893	1	00
1894	1	00
1895	1	00
1896	1	00
1897	1	00
1898	1	00
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2005	1	00
2006	1	00
2007	1	00
2008	1	00
2009	1	00
2010	1	00
2011	1	00
2012	1	00
2013	1	00
2014	1	00
2015	1	00
2016	1	

Oct. 25. To a balance on settlement this day,

118,561 45

Amount carried forward,

118,561 45

The State of New-Jersey,

CONTRA.

Ck.

1825.

Dols. Cts.

Nov. 1.	By paid for 5 inquisitions from Monmouth,	69 61	
	Brigade Inspector of Essex,	30	
4.	Two inquisitions from Bergen,	27 04	
8.	Brigade Inspector of Middlesex,	30	
	For transporting 4 prisoners from Bergen county to state-prison,	82 75	
	For 4 taxed bills of costs for prosecution of said prisoners,	152 97	
			392 57
10.	Brigade Inspector of Bergen,	30	
	For 4 inquisitions from Sussex,	74 73	
16.	G. H. Ford, esq., third justice, &c., his semi-annual salary, and for holding 4 circuits,	670	
	One inquisition from Monmouth	13 08	
18.	Joseph B. Green, making boxes for arms,	21 25	
	John R. Taylor, for cleaning arms,	66 50	
	David Taylor, for do.	65	
22.	Lydia Westbrook, for 6 months' pension,	120	
			1,060 56
	William Halsted, jun., law reporter, his semi-annual salary,	100	
24.	Brigade Inspector of Gloucester,	30	
	Lydia Wood, for 6 months' pension,	20	
Dec. 1.	Brigade Inspector of Salem,	30	
	Zachariah Rossell, adjutant-general, his semi-annual salary,	50	
	Advanced for school fund, in anticipation of its income,	9,726 50	
10.	Isaac H. Williamson, governor, his semi-annual salary,	1,000	
			10,956 50
12.	Jacob S. Thomson, member of Council,	144	
	Amos Harrison, do.	165	
	Thomas H. Hughes, do.	186	
	Ebenezer Seeley, do.	169 50	
	Elnathan Stevenson, do.	151 50	
	Thomas C. Ryerson, do.	147	
	Silas Cook, do.	168	
	Charles Board, do.	166	
	Zaccheus Ray, do.	168	
			1,465
	Caleb Newbold, do.	151 50	
	Peter I. Stryker, do.	184	

Dr.

1825

Charles Parker, Treasurer,

Amount brought forward,

Dols. Cts.
118,561 45

Amount carried forward,

118,561 45

CONTRA.

CR.

1825.

Dols. Cts.

Dec. 12. By paid William I. Emley, member			
of Council,		147	
Isaac Wilkins,	do.	156	
William Edgar,	do.	159	
Israel Townsend, member of Assem-			
bly.		183	
John Barton,	do.	154 50	
			1,135
Enoch Clifford,	do.	157 80	
Asa C. Dunham,	do.	157 20	
Thomas Capner,	do.	154 20	
Edmund Sheppard,	do.	177	
William B. Ewing,	do.	172 50	
Israel Stratton,	do.	177	
			995 70
James Egbert,	do.	162	
Daniel Swayze,	do.	159	
Nathan A. Shafer,	do.	162	
Joseph Chandler,	do.	174	
Isaiah Toy,	do.	156	
Gershom Mott,	do.	147	
John Emley,	do.	153	
Joshua S. Earl,	do.	147	
			1,266
Benjamin B. Cooper,	do.	151 50	
John R. Scull,	do.	171	
Charles French,	do.	163 50	
James Cook,	do.	151 50	
Charles Carson,	do.	151 50	
John T. McDowell,	do.	153	
Ebenezer F. Smith,	do.	166 50	
			1,108 50
Joseph Dickerson,	do.	168	
George K. Drake,	do.	186 50	
Ephraim Marsh,	do.	165	
Dickinson Miller,	do.	156	
			675 50
James S. Green,	do.	150	
Jacob Kline,	do.	159	
James Lloyd,	do.	162	
James West,	do.	162	
Joseph Conover,	do.	162	
			793
John Mann,	do.	160 50	
William Stites,	do.	165	
Samuel Pennington,	do.	164 10	
John Travers,	do.	159 60	
Israel Clawson,	do.	168	

Dr.

1925.

Charles Parker, Treasurer,

	Dols.	Cts.
Amount brought forward,	118,561	45
Amount carried forward,	118,561	45

		CONTRA.		CR.	
1825.				Dols. Cts.	
Dec. 12. By paid Robert G. Johnson, member					
	of Assembly,		168		
	Samuel Humphreys,	do.	168		
				1,153	20
	Henry B. Hagerman,	do.	177		
	Cornelius Van Winkle,	do.	168		
	David I. Christie,	do.	168		
	Frederick Cook, per allowance in in-				
	cidental bill,		28		
	William L. Prall,	do.	186 17		
	Joseph Justice,	do.	198 87		
	Justice & Potts,	do.	17 50		
				943	54
	Daniel Fenton	do.	56 51		
	William Gould,	do.	31 79		
	Isaac Gulick,	do.	75		
	John Bellerjeau,	do.	6 87		
	Thomas Atkinson,	do.	30 50		
	Francis S. Wiggins,	do.	90 88		
				291	55
	William L. Prall,	do.	92 56		
	William L. Prall,	do.	178 50		
	Charles Parker, librarian,		88		
	William Gould, doorkeeper,		102		
	John Bellerjeau, sergeant-at-arms,		102		
	Israel Stratton, for protection of oys-				
	ter beds,		326 70		
				889	76
	John Rickey, for oil to clean arms,		9 75		
	John R. Taylor, for cleaning arms,		44		
	David Taylor, for	do.	55 75		
	Charles Parker, per allowance in in-				
	cidental bill,		112 16		
	Daniel Coleman, for issuing commis-				
	sions,		83 23		
16.	Charles Parker, for allowance in in-				
	cidental bill for repairs of state pro-				
	perty,		491 90		
	Ann Barber, for 2 months and 6 days'				
	pension, to her death,		82 50		
				879	29
	Richard Lloyd, allowance per inci-				
	dental bill,		49 68		
	William John Bell & Co., for govern-				
	ment stock,		62,455 75		
	Do.	do.	5,225 53		
17.	Commissioners for selling part of the				
	government lot, allowance per in-				
	cidental bill,		23		

DR.

Charles Parker, Treasurer,

1825.

Dols. Cts.

	Amount brought forward,		118,561 45
Dec. 19.	To received on account of state tax due from Hunterdon co. for 1825,	221 74	
21.	Do. do. do.	223 11	
22.	Balance of tax from Hunterdon co.	1,823 08	
		<hr/>	2,267 95
24.	Quota of tax due from Burlington co. for 1825,	2,153 57	
27.	Quota of tax due from Gloucester co. for 1825,	1,689 61	
28.	Quota of tax due from Warren co. for 1825,	1,052 81	
30.	From Commercial Bank of New- Jersey, tax for 1825,	100 48	
31.	Quota of tax due from Middlesex co. for 1825,	1,626 69	
1826.			
Jan. 2.	From Newark Banking and Insur- ance Company, tax for 1825,	1,500	
		<hr/>	8,123 16
	From State Bank at Elizabeth, tax for 1825,	499 88	
3.	Quota of tax due from Cape-May co. for 1825,	323	
	From State Bank at Newark, on ac- count of tax for 1825,	1,100	
5.	Quota of tax due from Monmouth co. for 1825,	1,861 85	
5.	From Trenton Banking Company, tax for 1825,	1,073 70	
10.	From Farmer's Bank, Mount-Holly, tax for 1825,	500	
		<hr/>	6,358 45
	Amount carried forward,		<hr/> 135,310 97 <hr/>

	CONTRA.	CR.
		Dols. Cts.
1825.		
Dec. 17. Bypaid Z. Rossell, adjutant-general, allowance per incidental bill,	9 11	
21. Theodore Frelinghuysen, allowance per incidental bill,	157 40	
Theodore Frelinghuysen, his semi-annual salary,	40	
John C. Chambers, allowance per incidental bill,	7 76	
	<hr/>	67,968 23
22. For 1 inquisition from Hunterdon,	18 36	
23. John T. Woodhull, member of Assembly,	154 50	
Daniel Coleman, for issuing commissions,	3 11	
William Kerwood, allowance per incidental bill,	1 50	
24. Daniel Coleman, per order from the governor,	301 81	
William Mount, allowance per incidental bill,	4 50	
27. For 11 inquisitions from Gloucester,	148 90	
28. Transporting to state-prison, from Middlesex, 2 prisoners, and 2 bills of costs,	254 12	
	<hr/>	886 80
One inquisition from Warren co.	16 36	
Alexander Witherup, allowance per incidental bill,	8 75	
29. Transporting a prisoner from Morris county to state-prison,	21 68	
For a taxed bill of costs, for prosecution of said prisoner,	23 45	
George Sherman, allowance per incidental bill,	34 50	
31. Eleven inquisitions from Middlesex,	188 49	
1826.		
Jan. 3. Keeper of state-prison, one quarter's salary,	200	
John T. French, clerk, do.	125	
	<hr/>	618 50
William Vanhart, assistant-keeper of state-prison, 1 quarter's salary,	112 50	
Joseph Dye, assistant-keeper, do.	100	
Thomas Neal, do. do.	100	
John Cunningham, do. do.	100	
John Howell, physician, do.	18 75	
5. One inquisition from Monmouth,	16 14	
7. H. Harrison, 3 months' pension,	10	
	<hr/>	457 89

Dr.

Charles Parker, Treasurer,

1826

Dols. Cts.

	Amount brought forward,		125,310 97
Jan. 10.	To received from State Bank at N. Brunswick, for tax of 1825,	440	
	From State Bank at Morris, for tax of 1825,	340	
	From Cumberland Bank, for tax of 1825,	260 12	
11.	From Jacob S. Thomson, esq., for over-payment in December last,	6	
16.	Three months' interest, due the 1st inst., on stock belonging to state,	1,087 50	
	Quota of tax due from Morris co. for 1825,	1,568 03	
18.	Quota of tax due from Bergen co. for 1825,	1,299 83	
	Quota of tax due from Somerset co. for 1825,	1,321 43	
			6,322 91
21.	Premium for draft on New-York,	62 50	
	Quota of tax due from Cumberland county for 1825,	793 10	
23.	From keeper of state-prison,	1,000	
	Quota of tax due from Salem county for 1825,	1,078 31	
26.	From Salem Bank, for tax of 1825,	150	
	From N. Brunswick Bank, for tax of 1825,	450	
Feb. 1.	From Paterson Bank, for tax of 1825,	600	
			4,133 91
	Amount carried forward,		145,767 79

		CONTRA.	CR.
1826.			Dols. Cts.
Jan. 9.	By paid appropriation to school fund, one-tenth of state tax,	2,000	
10.	For tuition of deaf and dumb,	388	
11.	Charles Board, member of Council,	30	
	William I. Emley, do.	12	
	Caleb Newbold, do.	11 50	
	Isaac Wilkins, do.	15	
	Jacob S. Thomson, do.	24	
		<hr/>	2,480 50
	William Edgar, do.	18	
	Amos Harrison, do.	24	
	Silas Cook, do.	27	
	Thomas H. Hughes, do.	45	
	Zaccheus Ray, do.	27	
	Elmathan Stevenson, do.	10 50	
	Ebenezer Seeley, do.	28 50	
		<hr/>	180
	Thomas C. Ryerson, do.	27	
	Daniel Coleman, secretary &c.,	7	
	John Bellerjeau, sergeant-at-arms,	8	
	Daniel Coleman, for issuing com- missions,	3 35	
16.	John R. Smith, allowance per inci- dental bill,	9 19	
	William John Bell & Co., for gov- ernment stock,	9,899 69	
18.	Four inquisitions from Somerset,	60 22	
	Daniel Coleman, for issuing com- missions,	4 22	
21.	William John Bell & Co., for gov- ernment stock,	15,600 04	
23.	Six inquisitions from Salem,	80 91	
		<hr/>	25,099 6
26.	Sheriff of Essex, for bringing pri- soner to state prison,	20 81	
	Sheriff of Essex, amount of taxed bill of costs for prosecution of said prisoner,	31 46	
	Sheriff of Essex, for bringing 2 pri- soners to state-prison,	30 12	
	Sheriff of Essex, amount of 2 taxed bills of costs,	69 92	
Feb. 1.	Daniel Coleman, for one quarter's salary as auditor, and for issuing commissions,	13 74	
13.	One inquisition from Hunterdon,	12 84	
	Daniel Coleman, for issuing com- missions,	2 73	

Dr.

Charles Parker, Treasurer,

1826.

Dols. Cts.

	Amount brought forward,	145,767	79
Feb. 2.	To received from People's Bank at Paterson, tax for 1825,	375	
	From State Bank at Camden, tax for 1825,	1,500	
	From Washington Bank, tax for 1825,	280	15
6.	From attorney-general, for a forfeited recognizance,	100	
	From Sussex Bank, for tax of 1825,	157	50
10.	For premium for draft on N. York,	23	85
Mar. 1.	Quota of tax due from Essex co. for 1825,	1,911	04
	4. Quota of tax due from Sussex co. for 1825,	1,052	81
Apl. 10.	Three months' interest on stock up to the 1st instant,	1,424	99
		<hr/>	6,805 34
	• Amount carried forward,	<hr/>	152,578 13

CONTRA.

CR.

Dols. Cts.

1826.

Feb. 28.	By paid William L. Prall, clerk of Assembly, for copying Votes &c.,	170	30	
	Sheriff of Burlington, for transporting a prisoner to the state-prison,	7	20	
	Sheriff of Burlington, amount of a taxed bill of costs,	17	20	
Mar. 1.	Four inquisitions from Essex,	59	99	
	One do. from Morris,	17	76	
3.	Sheriff of Cumberland, for transporting a prisoner to the state prison,	35	66	
	Sheriff of Cumberland, amount of a taxed bill of costs,	15	94	
		<hr/>		324 05
14.	Chief Justice, for his semi-annual salary, and for holding 7 circuits,	810		
27.	Daniel Coleman, per warrant from the governor,	71	74	
	Sheriff of Middlesex, for transporting a prisoner to the state prison,	10	80	
	Sheriff of Middlesex, amount of a taxed bill of costs,	19	45	
	Sheriff of Salem, for transporting 2 prisoners to the state-prison,	31	75	
	Sheriff of Salem, for 2 taxed bills of costs,	68	33	
29.	Sheriff of Salem, for transporting a prisoner to state-prison,	11	85	
	Sheriff of Salem, amount of a taxed bill of costs,	33	61	
		<hr/>		1,057 58
Apl. 3.	H. Harrison, 3 months' pension,	10		
6.	For 1 inquisition from Middlesex,	15	77	
7.	For tuition of deaf and dumb,	360		
11.	John Bellerjeau, sergeant-at-arms,	8		
	Francis S. Labaw, keeper of the state-prison, 1 quarter's salary,	200		
	John T. French, clerk of state-prison, 1 quarter's salary,	125		
	William Vanhart, assistant-keeper, 1 quarter's salary,	112	50	
	Thomas Neal, assistant-keeper, 1 quarter's salary,	100		
	John Cunningham, assistant-keeper, 1 quarter's salary,	100		
	Joseph Dey, assistant-keeper, one quarter's salary,	100		
		<hr/>		1,131 27

Dr.*Charles Parker, Treasurer,*

1826:

Dols. Cts.

Amount brought forward,

152,573 13

May 22. To received for oyster rents, from collector
of Middlesex,

198 79

Amount carried forward,

152,771 92

CONTRA.

CR.

1826.

Dols. Cts

Apl. 11. By paid Dr. John Howell, for attendance at the state-prison &c.,		18 75	
Daniel Coleman, per warrant,		62 67	
12.	Joseph Justice, for printing Votes and Proceedings of 1825,	264	
	Daniel Coleman, for issuing commissions,	18 98	
24.	Sarah Wood, for 6 months' pension,	20	
	Daniel Coleman, for one quarter's salary as auditor, and for issuing commissions,	22 54	
	Daniel Coleman, for issuing commissions,	5 21	
	Lydia Westbrook, for 6 months' pension,	120	
		<hr/>	532 15
27.	Three inquisitions from Monmouth,	40 18	
29.	Daniel Coleman, for issuing commissions &c.,	4 71	
May 1.	Zachariah Russell, adjutant-general, 6 months' salary,	50	
2.	Sheriff of Monmouth, for transporting a prisoner to state-prison,	11 77	
	Sheriff of Monmouth, for a taxed bill of costs,	59 98	
	Eunice Platt, for 6 months' pension,	20	
	Sheriff of Essex, for transporting 4 prisoners to state-prison,	30 72	
		<hr/>	217 36
	Sheriff of Essex, for 4 bills of costs for prosecution of said prisoners,	119 60	
3.	One inquisition from Hunterdon,	13 08	
4.	Postage for adjutant-general,	1 96	
	Sheriff of Somerset, for transporting a prisoner to state-prison,	12 49	
	Sheriff of Somerset, for 1 taxed bill of costs,	36 54	
	Daniel Coleman, for issuing commissions,	3 22	
9.	Appropriation for building a surveyor-general's office &c., in Burlington,	600	
11.	Two inquisitions from Morris,	29 02	
		<hr/>	815 91
	Nine inquisitions from Essex,	144 17	
15.	William Russell, second justice &c., for his semi annual salary, and for holding 4 circuits,	670	

Dr.*Charles Parker, Treasurer,*

1826:

Dols. Cts.

Amount brought forward,
 June 15. To received from the Franklin Bank of N.
 Jersey, tax for 1825,

152,771 92

1,500

Amount carried forward,

154,271 92

CONTRA.

CR.

1820.

Dols. Cts.

May 16.	By paid G. H. Ford, third justice, his semi-annual salary, and for holding 3 circuits,	640	
19.	Lydia Wood, for 6 months' pension, Chief Justice, his semi-annual salary, and for holding 4 circuits,	20	
	Isaac H. Williamson, governor, allowance per incidental bill,	720	
	Attorney-General, his semi-annual salary,	53 97	
22.	Three inquisitions from Middlesex,	40	
		43 79	
		<hr/>	2,331 95
	Isaac H. Williamson, governor, his semi-annual salary,	1,000	
	G. D. Wall, esq., quartermaster-general, salary,	175	
23.	William Halsted, jun., law reporter, his semi-annual salary,	100	
	Charles Parker, treasurer, his semi-annual salary,	500	
25.	P. I. Stryker, vice-president, for attending a Court of Appeals,	45 50	
	Elnathan Stevenson, member of the Court of Appeals,	54 50	
	Silas Cook, do.	51	
	Zaccheus Ray, do.	51	
		<hr/>	1,957
	Amos Harrison, do.	48	
	Jacob S. Thomson, do.	48	
	Isaac Wilkins, do.	39	
	Caleb Newbold, do.	54 50	
	William Edgar, do.	42	
	Ebenezer Seeley, do.	52 50	
	William I. Emley, do.	36	
		<hr/>	300
	Charles Board, do.	57	
	Charles Parker, librarian,	50	
	John Bellerjeau, sergeant-at-arms,	52	
	Daniel Coleman, secretary,	55	
	Daniel Coleman, for issuing commissions.	17 73	
	Elizabeth Dugan, 4 years, 6 months, and 24 days' pension,	172 06	
June 2.	Daniel Coleman, for issuing commissions,	8 31	
		<hr/>	352 70
4.	Lydia Whitlock, 1 years' pension,	100	
8.	For tuition of deaf and dumb,	100 71	

Dr.

Charles Parker, Treasurer,

1826.

Dols. Cts.

154,271 92

Amount brought forward,

July 7. To received three months' interest on
stock belonging to the state, to the
1st instant,

1,424 99

Amount carried forward,

155,696 91

CONTRA.

CR.

1826.

Dols. C.

June 8.	By paid sheriff of Burlington, for transporting three prisoners to the state-prison.	10 40	
	Sheriff of Burlington, for three taxed bills of costs,	98 42	
	Elizabeth Rue, 5 months and 2 days' pension,	16 67	
10.	Daniel Coleman, for issuing commissions,	5 34	
13.	William L. Prall, for printing the Journal of Council and Laws.	413	
	Sheriff of Sussex, for transporting a prisoner to the state-prison,	32	
	Sheriff of Sussex, amount of a taxed bill of costs,	22 70	
			928 24
14.	Sheriff of Warren, for transporting 2 prisoners to state-prison,	24 02	
	Sheriff of Warren, for 2 taxed bills of costs,	61 62	
16.	Brigade Inspector of Hunterdon,	30	
	Sheriff of Cumberland, for transporting a prisoner to state-prison,	28 01	
	Sheriff of Cumberland, for a taxed bill of costs.	40 90	
17.	Brigade Inspector of Somerset,	30	
	H. Harrison, for 3 months' pension,	10	
20.	One inquisition from Monmouth,	15 96	
	Two do. do.	25 92	
			266 43
22.	Brigade Inspector of Sussex,	30	
23.	Daniel Coleman, for issuing commissions,	7 79	
27.	Sheriff of Middlesex, for transporting a prisoner to the state-prison,	11 05	
	Sheriff of Middlesex, a taxed bill of costs,	28 60	
	One inquisition from Middlesex,	15 26	
	One do. from Cumberland,	11 25	
			104 13
July 7.	Francis S. Labaw, keeper of state-prison, 1 quarter's salary,	200	
	John T. French, clerk of state-prison, 1 quarter's salary,	125	
	William Vanhart, assistant-keeper, 1 quarter's salary,	112 50	
	Thomas Neal, assistant-keeper, 1 quarter's salary,	100	

Dr.

Charles Parker, Treasurer,

1896.

Dols. Cts.

	Amount brought forward,	155,696	91
Sept. 12.	To received from New-Jersey Manufacturing and Banking Company, tax for 1895,	750	
Oct. 3.	Three months' interest due on stock the 1st instant,	1,424	99
		<hr/>	2,174 99
11.	From school fund, for money lent to purchase stock &c.,		6,273 51
		<hr/>	<hr/>
	Amount carried forward,	164,141	45

CONTRA.

C.R.
Dols. Cts.

1826.

July 7.	By paid John Cunningham, assistant-keeper of state-prison, 1 quarter's salary,	100	
	Joseph Dye, assistant-keeper, 1 quarter's salary,	100	
	Dr. John Howell, 1 quarter's salary,	18 75	
		<hr/>	756 25
8.	Brigade Inspector of Warren.	30	
	For distributing Laws and Proceedings of the 50th Legislature.	80	
	For boxes to contain the Laws.	8	
11.	Daniel Coleman, for issuing commissions.	14 39	
12.	Two inquisitions from Essex,	33 46	
22.	Daniel Coleman, for 1 quarter's salary, and issuing commissions,	19 82	
24.	John Bellerjeau, sergeant-at-arms,	14	
	Brigade Inspector of Burlington.	30	
	Brigade Inspector of Monmouth,	30	
		<hr/>	259 67
Aug. 16.	Francis S. Wiggins, for printing 13 1-4 sheets of the Law Reports,	344 50	
	Brigade Inspector of Cumberland,	30	
	Daniel Coleman, for issuing commissions.	9 31	
18.	Daniel Fenton, for books &c.,	79 78	
24.	Daniel Coleman, for issuing commissions,	3 60	
		<hr/>	467 19
Sept. 2.	Two inquisitions from Essex,	34 82	
8.	Two do. from Morris,	26 17	
12.	Brigade Inspector of Morris,	30	
14.	Daniel Fenton, for books,	15 50	
19.	One inquisition from Morris,	21 08	
Oct. 4.	Brigade Inspector of Salem,	30	
	For bringing a prisoner from Salem to state-prison,	27 41	
	For amount of a taxed bill of costs,	15 36	
		<hr/>	200 34
5.	Francis S. Labaw, keeper of state-prison, 1 quarter's salary.	200	
	John T. French, clerk of state-prison, 1 quarter's salary.	125	
	William Vanhart, assistant-keeper, 1 quarter's salary.	112 50	
	Thomas Neal, assistant-keeper, 1 quarter's salary.	100	
	Joseph Dye, assistant-keeper, 1 quarter's salary,	100	

DR.

Charles Parker, Treasurer,

1826.

		Dols.	Cts.
	Amount brought forward.	164,145	41
Oct. 16.	To received from school fund for cash advanced to purchase stock,		200
19.	From John E. Jeffers. for rent of oyster grounds in Delaware river.	1,000	
24.	From Samuel Pennington, agent of lands at Paterson, on account,	143	78
		<hr/>	<hr/>
		165 489	19
		<hr/>	<hr/>
Oct. 24.	To a balance in the treasury, as per settlement with the treasurer this day,	27,146	58
		<hr/>	<hr/>

WE, the Committee of Council and Assembly, appointed to settle the Treasurer's accounts, having examined the same, with the vouchers relative thereto, do find it correctly stated.

A. HOWELL, } Committee of
I. R. CLAWSON, } Council.

THOMAS CAPNER, } Committee of
JAS. S. GREEN, } Assembly.
A. ROBERTSON,
AMZI DODD,
B. ARCHER, }

CONTRA.		CR.	
1826.		Dols. Cts.	
Oct. 5.	By paid John Cunningham, assistant-keeper of state-prison, 1 quarter's salary,	100	
	John Howell, physician, 1 quarter's salary,	18 75	
6.	For transporting a prisoner from Morris county to state-prison,	21 48	
			777 75
	Amount of a taxed bill of costs,	22 75	
7.	N. Bashford, for binding books &c.,	6 87	
9.	One inquisition from Morris,	16 75	
13.	Charles Ewing, chief justice, his semi-annual salary, and for holding 1 circuit,	630	
	Isaac H. Williamson, governor, his semi-annual salary,	1,000	
	Theodore Frelinghuysen, attorney-general, his semi-annual salary,	40	
	Charles Parker, treasurer, his semi-annual salary,	500	
	Zachariah Rossell, adjutant-general, his semi-annual salary,	50	
			2,266 57
16.	David Taylor, for repairing arms,	55 41	
23.	Six inquisitions from Monmouth,	91 09	
	William Rossell, second justice, his semi-annual salary, and for holding 4 circuits,	670	
			816 50
	Balance due per contra,		27,146 58
			165,489 19

There stands to my credit, in sundry banks, twenty-six thousand six hundred eighty-six dollars and fifty-eight cents, as appears from certificates accompanying this account. I have also advanced to John Wilson, esq., one of the commissioners appointed to repair the Clerk's Office in Chancery, four hundred dollars, and to Francis S. Wiggins, on account of printing the Law Reports, sixty dollars; which together makes the sum of twenty-seven thousand one hundred and forty-six dollars and fifty-eight cents, which corresponds with the balance charged on the opposite page.

CHARLES PARKER, *Treasurer.*

October 24, 1826.

Dr. *Charles Parker, Treasurer of New-Jersey, it being with an abstract view of the unsettled accounts standing inclusive, and independent of the School Fund.*

	Dols.	Cts.
GENERAL CHARGES —Balance of account October 25, 1825.		118,561 45
UNCOLLECTED DEBTS —Amount of account.	7,487 30	
TAXES —Amount of tax received from the several counties.	20,000 01	
Amount of tax due from sundry banks.	13,118 83	
LOAN OFFICE —Amount of government stock on hand,	100,000	
	<hr/>	140,006 14
BILLS RECEIVABLE —Amount of account.	1,000	
INTEREST ACCOUNT —Received for interest on government stocks,	3,362 47	
SCHOOL FUND ACCOUNT —Received from proceeds of funds for advancements made,	6,473 51	
	<hr/>	12,835 94
FINES AND FORFEITURES —Received of the Attorney-General.	100	
PREMIUMS —Received on sales of New-York funds,	86 55	
REFUND ACCOUNT —Received from Jacob S. Thomson, esq., for over-payment.	6	
STATE-PRISON —Received from Keeper.	1,000	
LANDS AT PATERSON —Received from Sa- muel Pennington, esq., agent,	143 78	
	<hr/>	1,336 13
		<hr/>
		273 359 70
		<hr/>

Errors excepted.

CHARLES PARKER, Treasurer.

a summary recapitulation of his Account Current, together on the books kept by him from October 25, 1825, to October 24, 1826,

CONTRA.

CR.

Dols. Cts.

STATE-PRISON ACCOUNT—Paid Keeper &c.,	3,025	
PRINTING ACCOUNT,	1,109	50
SCHOOL FUND ACCOUNT—Advancement made,	9,726	50
DEAF AND DUMB—Amount of account,	917	71
STATE LIBRARY—Amount of account,	102	15
MILITIA AND PENSION ACCOUNT—Amount of account,	1,812	77
INVESTMENTS—Paid for stocks,	93,181	01
STATE AND INCIDENTAL ACCOUNT,	23,430	88
TRANSPORTATION AND CRIMINAL PROSECUTION ACCOUNT,	1,654	89
INQUISITION ACCOUNT,	1,382	20
APPROPRIATION TO SCHOOL FUND—one-tenth of state-tax,	2,000	
		<hr/> 138,342 61
UNCOLLECTED DEBTS—Due from P. Gordon, late treasurer,	6,131	02
Due from collector of Middlesex, balance of oyster rents,	7	49
First Presbyterian Society at Paterson,	150	
		<hr/> 6,288 51
TAXES—Due from State Bank at Newark,	100	
Due from State Bank at Trenton,	462	
		<hr/> 562
LOAN OFFICE—Stocks on hand,	100,000	
BILLS RECEIVABLE—Due from Thomas Gordon and others,	1,000	
		<hr/> 101,000
GENERAL CHARGES—Balance standing to the credit of this account, and deposited in sundry banks, as per certificates accompanying this report,		27,146 58
		<hr/> 273,339 70

WE, the Committee of Council and Assembly, have examined the above statement, and compared the same with the treasurer's book, and find the same in all things to agree.

A. HOWELL, } Committee of
I. R. CLAWSON, } Council.

THOMAS CAPNER, }
JAS. S. GREEN, } Committee of
A. ROBERTSON, } Assembly.
AMZI DODD, }
B. ARCHER, }

Dr. Charles Parker, Treasurer, in Account Current with

1825.		Dols.	Cts.
Oct. 25.	To a balance on settlement, and now in the treasury,	8,458	14
Nov. 19.	Received from the state funds, in anticipation of income,	9,726	50
1826.			
Jan. 2.	Received the tax due on Monmouth Bank capital.	200	
9.	From the State, one-tenth of the state tax,	2,000	
	3 months' interest on 6 per cent. stock of 1814,	70	50
	3 months' interest on 4 1-2 per cent. stock,	110	25
	3 months' interest on 6 per cent. stock of 1815,	874	75
	3 months' interest on 6 per cent. stock of 1815, in loan of \$7,500,000,	617	04
		13,599 04	
	3 months' interest on 6 per cent. stock of 1815,	187	65
23.	Dividend on Trenton Bank stock for the last 6 months'	1,599	60
Apl. 12.	3 months' interest on 6 per cent. stock of 1815,	318	56
	3 months' interest on 6 per cent. stock of 1814,	70	50
	3 months' interest on 4 1-2 per cent. stock,	1,229	08
July 7.	3 months' interest on 6 per cent. stock of 1815,	318	56
	3 months' interest on 6 per cent. stock of 1814,	70	50
		3,794 47	
	3 months' interest on 4 1-2 per cent. stock,	1,229	08
15.	Dividend on Trenton Bank stock for the last 6 months,	1,599	60
Oct. 6.	3 months' interest on 6 per cent. stock of 1815,	318	56
	3 months' interest on 6 per cent. stock of 1814,	84	99
	3 months' interest on 4 1-2 per cent. stock,	1,229	08
11.	Received for 2 dividends on Newark Turnpike stock,	625	
	2 dividends on 40 shares of Cumberland Bank stock,	120	

The New-Jersey School Fund.

CONTRA.

CR.

1825.

Dols. Cr.

Nov. 7. By paid for \$4,700 of 6 per cent.
stock of 1814, at 103 per cent.,

4,841

19. For \$9,800 of 4 1-2 per cent. stock,
at 99 1-4 per cent.,

9,726 50

1826.

Feb. 6. For \$8,727.82 of 6 per cent. stock of
1815, at 104 per cent.,

9,076 93

23,644 43Sept. 11. For \$966.19 of 6 per cent. stock of
1814, at 103 1-2 per cent.,

1,000

Oct. 5. State of New-Jersey, on account,

6,273 51

6. State of New-Jersey, on account,

200

7,473 51

Amount carried forward,

31,117 94

Dr.

Charles Parker, Treasurer.

1826.

Dols. Cts.

Oct. 11. Received for 2 dividends on 20 shares
of Sussex Bank stock,

60

5,266 31

31,117 94

WE, the Committee of Council and Assembly, appointed to settle with the treasurer, having examined the foregoing account, and compared the same with his books and papers relative thereto, do find the same correctly stated and balanced.

A. HOWELL, } Committee of
I. R. CLAWSON, } Council.

THOMAS CAPNER, } Committee of
JAS. S. GREEN, } Assembly.
A. ROBERTSON,
AMZI DODD,
BENJ. ARCHER, }

October 24, 1826.

CONTRA.

CR.

1826.

Dols. Cts

Amount brought forward,

31,117 94

Errors excepted.

CHARLES PARKER, *Treasurer.*

A Summary Recapitulation of the School Fund, October 24, 1826.

Balance of proceeds in the hands of the treasurer, October 25, 1825.	-
Amount of 6 per cent. stock of 1813, in the loan of \$16,000,000,	-
Do. do. do. \$7,500,000,	-
6 months' interest on the two last sums to January 1826,	-
Amount of 4 1-2 per cent. stock received Jan. 1, 1826, in exchange for the second and third items,	-
Amount of 4 1-2 per cent. stock purchased Nov. 19, 1825,	-
Received 1 year's interest on the sixth item, and 9 months' interest on the fifth,	-
Amount of 6 per cent. stock of 1815, on hand Oct. 25, 1825,	-
Do. do. purchased Feb. 6, 1826,	-
Received 1 year's interest on the eighth item, and 9 months' interest on the ninth,	-
Amount of 6 per cent. stock of 1814, purchased Nov. 30, 1825,	-
Do. do. do. Sept. 11, 1826,	-
Received 1 year's interest on the eleventh item, and 3 months' interest on the twelfth,	-
1333 shares of Trenton Bank stock,	-
Received for 2 semi-annual dividends on Trenton Bank stock,	-

Six per cent. stock of 1813, exchanged on the 1st of Jan. 1825, for an equal amount of 4 1-2 per cent. stock.—The latter is now on hand.	This will show the amt of such stock as has been purchased since Oct. 25, 1825, with the amt of the same kind before that time on hand.	Am't received for interest and dividends, with the balance on hand Oct. 25, 1825, with the amount of receipts and disbursements since.	Total amt of school fund at this time, consisting of stocks on hand Oct. 25, 1825, not since received, with the amount purchased since that time.
\$58,316.69		\$8,458.14	
41,156.03			
<u>99,452.72</u>		1,491.79	
	\$99,452.72		\$109,252.72
	<u>9,800.00</u>	3,797.49	
	12,510.00		
	<u>8,727.82</u>		21,237.8
		1,145.33	
	4,700.00		
	<u>966.19</u>		5,666.19
		296.49	
		3,199.20	10,889.00

50 shares of Newark Turnpike stock,	-	625.00	12,500.00
Received for 2 dividends on the preceding item,	-		
20 shares of Sussex Bank stock,	-	60.00	600.00
Received for 2 semi-annual dividends,	-		
40 shares of Cumberland Bank stock,	-		2,000.00
			<u>191,645.73</u>
Received for 2 dividends on the preceding item,	-	120.00	
Received one-tenth of state tax,	-	2,000.00	
Received Monmouth Bank tax,	-	200.00	
		<u>21,391.44</u>	
Paid for eleventh item of this account,	-		
Do. sixth do.	-	4,841.00	
Do. ninth do.	-	9,726.50	
Do. twelfth do.	-	9,076.93	
		<u>1,000.00</u>	
Subtract receipts from disbursements, and the balance will be due the state of New-Jersey, for advancement made to this fund. (See <i>Account Current</i> .)	-	24,644.00	3,252.99
			<u>188,392.74</u>

[The amount of the New-Jersey school fund, at this time, is one hundred eighty-eight thousand three hundred and ninety-two dollars and seventy-four cents, besides a debt due from Daniel McLaren of twenty-five thousand dollars, not entered in this account.]

CHARLES PARKER, *Treasurer*.

Which, together with the foregoing general report and certificate, were ordered to lie on the table.

Agreeably to leave given at the last session, Mr. Van Blarcom presented a bill entitled, An act for the formation of a new county from parts of the counties of Essex, Bergen, and Morris, to be called the county of Paterson :

Which bill was read, ordered a second reading, and to be printed.

Mr. Dodd submitted the following resolution :

Resolved, That the treasurer be directed to inform the president of the State Bank at Newark, that there is due from the said bank to this state a balance of one hundred dollars on the tax on said bank for the year ending January 1, 1826 :

Which resolution was read, and ordered to lie on the table.

Mr. Woodhull submitted the following resolution :

Resolved, That this House will have an adjourned session :

Which resolution was read, and committed to Messrs. Woodhull, Christie, Cook, Armstrong, Chandler, Clifford, Green, Townsend, Jackson, Archer, Lake, Emley, Day, and Ewing.

The House resumed the consideration of the bill entitled, An act prescribing the boundary line between the townships of Wantage and Frankford, in Sussex county :

Which was gone through by section, and ordered to be engrossed.

The House adjourned to ten o'clock to-morrow morning.

THURSDAY, November 2.

Ten o'clock—the House met.

Mr. Kinsey presented the petition of Hannah Barcoe, of Saddle River township, Bergen county, praying for a law vesting in her in fee-simple the title to a lot of land, late the property of her husband, who died intestate, and without heirs or relatives ;

Which petition was read, and committed to Messrs. Kinsey, Marsh, and Ewing.

Mr. Lloyd, from the committee on No. 13, of unfinished business, entitled, An act to repeal part of the act concerning roads, passed February 9, 1818,

Reported the same, without amendment ; and also reported, as a substitute, a bill entitled, A further supplement to the act entitled An act concerning roads ;

The latter of which was read, ordered a second reading, and to be printed ; and the former ordered to lie on the table.

Mr. Green, from the committee on No. 21, of unfinished business, a bill entitled, An act to regulate the times and places of holding the several courts of law and equity in this state,

Reported the same, without amendment ;

Which bill, on motion, was dismissed.

Mr. Stites, from the committee on No. 10, of unfinished business, a bill entitled, A further supplement to the Act concerning roads, passed February 9, 1818,

Reported the same, without amendment;

Which bill, on motion, was dismissed.

Mr. Stites also reported a substitute for said bill, entitled, A further supplement to the act entitled An act concerning roads, passed February 9 1818;

Which bill was read, ordered a second reading, and to be printed.

Mr. Green, from the committee on No. 16, of unfinished business, a bill entitled, An act relative to partnerships,

Reported the same, without amendment.

Which bill was read, ordered a second reading, and to be printed.

Mr. Woodhull, from the committee of fourteen, to whom was referred the resolution in favor of an adjourned session,

Reported against said resolution;

And, on the question, of agreeing to said report, the yeas and nays being required, were as follow:

YEAS.

Messrs. Archer,	Earl,	Mott,
Armstrong,	Emley,	Secley,
Barton,	Ewing,	Stites,
Clifford,	Foster,	Stryker,
Conover,	Freas,	Townsend,
Day,	Kinsey,	Toy,
Dodd,	Lake,	Van Blarcom,
Dunham,	Marsh,	Van Winkle,
		[24.

NAYS.

Messrs. Bee,	Dunn,	Munson,
Chandler,	Green,	McDowell,
Christie,	Humphreys,	Vroom,
Cook,	Jackson,	West,
Dickerson,	Lloyd,	Woodhull-16.
Drake, sp.,		

So the House determined against having an adjourned session.

No. 26, of unfinished business, a bill entitled, An act to incorporate a company for rendering the Crosswicks creek navigable,

Was called up, and committed to Messrs. Woodhull, Dunham, and Emley.

The report of the joint-committee of Council and Assembly on the accounts of the treasurer, together with the certificate attesting the correctness, and satisfactory settlement of the same,

Were called up, the report agreed to, the certificate approved by the House, signed by the speaker, and the clerk ordered to carry the same to Council, and request their concurrence and approval.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Mott presented a petition from a number of the inhabitants of Nottingham, in Burlington county, in favor of the state subscribing to the stock of the Delaware and Raritan Canal Company, and the adoption of such measures as will lead to the completion of the work;

Which petition was referred to the committee on that subject.

Mr. Woodhull, from the committee to whom was referred No. 26, of business, a bill to incorporate a company for the purpose of rendering the Crosswicks creek navigable,

Reported the same, without amendment.

Which bill was read, and ordered a second reading.

The engrossed bill entitled, An act prescribing the boundary line between the townships of Wantage and Frankford, in Sussex county,

Was called up, and recommitted.

The House adjourned to ten o'clock to-morrow morning.

FRIDAY, November 3.

Ten o'clock—the House met.

Mr. Dodd presented the petition of Anthony Dey and others, of Bergen county, praying to be incorporated for the purpose of reclaiming certain marsh meadows in Lodi township, in said county;

Which petition was read, and committed to Messrs. Dodd, Kinsey, and Seeley.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act to confirm the last will and testament of Cornelius Van Horn, late of the township of Franklin, in the county of Bergen, deceased,

With amendments—

To which amendments they request the concurrence of the House of Assembly;

Which amendments were read, agreed to, and the bill, as amended, ordered to be re-engrossed.

Mr. Chandler, from the committee to whom was recommitted the engrossed bill entitled, An act prescribing the boundary line between the townships of Wantage and Frankford, in Sussex county,

Reported the same, with amendments; and the title so amended as to read, An act to declare the boundary line between the townships of Wantage and Frankford, in Sussex county;

Which amendments were read, and agreed to, and the bill, as amended, ordered to be re-engrossed.

Mr. Chandler, from the committee on the petition on that subject,

Reported a bill entitled, An act to confirm certain acknowledgments of deeds and other instruments, taken by Aaron Decker, esq.;

Which bill was read, ordered a second reading, and to be printed.

The communication of his Excellency the Governor, transmitted to the House on the 30th ult., and covering a correspondence between himself and the governor of New-York, on the subject of arresting a ministerial officer of New-York for serving process within the jurisdiction of New-Jersey,

Was called up, and committed to Messrs. Green, Woodhull, and McDowell.

Mr. Ewing submitted the following resolution :

Resolved, That the clerk inform Council, that this House is ready to go into a joint-meeting, for the purpose of appointing a senator till the 4th of March next; likewise a senator for six years from the 4th of March next, a treasurer, and such other officers as may be deemed expedient, and request Council to appoint the time and place of said meeting;

Which resolution was read, and ordered to lie on the table.

Mr. Dodd submitted the following resolution :

Resolved, That a committee be appointed to inquire into the expediency of imposing a tax on the agents of foreign insurance companies transacting business in this state;

Which resolution was read, agreed to, and Messrs. Dodd, Green, and Seeley accordingly appointed.

The House took up the list of unfinished business, which was disposed of as follows :

No. 2, was committed to Messrs. Green, Capner, and Day.

No. 4, was committed to Messrs. Earl, Stites, and Bee.

No. 6, was committed to Messrs. Day, Mott, and West.

No. 7, was committed to Messrs. Lake, Humphreys, and McDowell.

No. 8, was committed to Messrs. Robertson, Munson, and Clifford.

No. 9, was committed to Messrs. Dodd, Kinsey, and Stryker.

No. 12, was committed to Messrs. Dunham, Ewing, and Jackson.

No. 14, was committed to Messrs. French, Archer, and Emley.

No. 19, was committed to Messrs. Humphreys, Woodhull, and Bee.

No's. 25 and 29, were dismissed.

No. 27, was committed to Messrs. Dunham, Vroom, and Ewing.

No. 30, was committed to Messrs. French, Toy, and Freas.

No. 31, was committed to Messrs. Van Winkle, Armstrong, and Van Blarcom.

No. 32, was committed to Messrs. Woodhull, Dunham, and Dickerson.

No. 33. a report concerning a draw in South River Bridge, was committed to Messrs. McDowell, Barton, and Marsh.

No. 34. a report on the petition of inhabitants on Tanner's brook, Gloucester county, for opening the navigation of Read's creek, was committed to Messrs. Lake, Earl, and Conover.

The speaker laid before the House the following communication from the treasurer:—

TRENTON, November 3, 1826.

*George K. Drake, esq., Speaker of the
House of Assembly of New-Jersey.*

SIR,

Please to lay before the House the following communication, with the enclosed notice, and oblige your obedient servant.

CHARLES PARKER.

*To the Honorable the Legislative Council and General
Assembly of the State of New-Jersey.*

GENTLEMEN,

I have this day received from a committee of the Delaware and Raritan Canal Company a notice, which accompanies this communication, which requires me to take notice, not to make any disposition of the one hundred thousand dollars received by me as commissioner, and receipted for as treasurer of said state, as the bonus to be paid by said company, other than that mentioned in the report of the committee on my accounts, as treasurer, at the last session of the legislature. The money alluded to was received by me, as treasurer of New-Jersey, in June 1825, for the bonus required in the charter to be paid by said company, within ninety days after the assent of Pennsylvania should be obtained, to the use of the waters of the Delaware &c. This money immediately went into the treasury of the state of New-Jersey, and was passed to the credit of the state, as will be seen by my account rendered to the legislature in October 1825, and it still remains in the treasury, and, as I conceive, altogether beyond my control. I have, therefore, not been able to demonstrate the object expected to be attained by the company from the service of said notice, as they have made application to the legislature for the return of said bonus; and, as the subject is now before the House, I have thought it would also be proper, that the House should have this further information, which is respectfully submitted by

CHARLES PARKER.

Which communication, together with the notice of the committee of managers accompanying the same, were referred to the committee on the subject of the several applications relative to the Delaware and Raritan Canal.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Mott presented the petition of Matilda Cole, of Nottingham, Burlington county, praying to be divorced from her husband;

Which petition was read, and committed to Messrs. Mott, Lake, and Foster.

Mr. Earl presented the petition of a number of the inhabitants of Hunterdon and Burlington counties, praying increased compensation for jurors;

Which petition was read, and referred to the committee on that subject.

Mr. Robertson presented the petition of Jane Wilson, of Mansfield, Warren county, praying to be divorced from her husband;

Which petition was read, and committed to Messrs. Robertson, Munson, and Townsend.

Mr. Dodd, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to incorporate the Lodi Bank Meadow and Grazing Company;

Which bill was read, and ordered a second reading.

The engrossed bill entitled, An act to declare the boundary line between the townships of Wantage and Frankford, in Sussex county,

Was read and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The bill entitled, An act to establish a new township in the county of Cape-May, to be called the township of Dennis,

Was read a second time, gone through by section, and ordered to be engrossed.

The House adjourned to ten o'clock on Monday morning.

MONDAY, November 6.

Ten o'clock—the House met.

Mr. Robertson, from the committee to whom was referred No. 8, of unfinished business, a bill entitled, An act to authorize the governor of this state to incorporate a company for erecting a bridge over the river Delaware, at Belvidere,

Reported said bill without amendment; and further reported, that the applicants for said act, not having signified their wish that it

should be acted upon at the present session of the legislature, nor proposed its postponement to a future session, the committee recommend that it be dismissed;

Which report was read, and agreed to by the House.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Mott, from the committee on the petition of Matilda Cole, of Nottingham, Burlington county,

Reported a bill entitled, An act to divorce Matilda Cole from her husband William Cole;

Which bill was read, and ordered a second reading.

Mr. Mott also presented the remonstrance of William Cole against the passage of the above bill into a law;

Which remonstrance was ordered to lie on the table.

Mr. Dunham submitted the following resolution:

Resolved, That a committee be appointed to inquire, whether any, and if any, what alterations are necessary relative to the fisheries in the Delaware river;

Which resolution was read, agreed to, and Messrs. Dunham, Stryker, and Toy accordingly appointed.

Mr. Van Winkle submitted the following resolution:

Resolved, That a committee be appointed to inquire, whether any, and if any, what alterations are necessary in the act entitled, A supplement to an act entitled An act for the preservation of deer and other game, and to prevent trespassing with guns, passed December 21, 1771; which supplement was passed February 21, 1820;

Which resolution was read, agreed to, and Messrs. Van Winkle, Dodd, and Chandler accordingly appointed.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have examined the report of the joint-committee on the settlement of the accounts of the treasurer, and the certificate accompanying the same; and have approved of the latter, and agreed to the former.

And the message also informed, that the Council have passed a bill entitled, An act respecting the Bog and Fly Meadows in Morris county—

To which bill they request the concurrence of the House of Assembly;

Which bill was read, and ordered a second reading.

The House took up the resolution, submitted by Mr. Ewing, on the 3d instant, relative to a joint-meeting for the appointment of a senator, treasurer, &c.;

Which resolution was agreed to, and the clerk ordered to inform Council accordingly.

The bill entitled, A further supplement to the act entitled An act concerning roads,

Was read a second time, progressed in, and postponed.

The re-engrossed bill entitled, An act to confirm the last will and testament of Cornelius Van Horn, late of the township of Franklin, in the county of Bergen, deceased,

Was read, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows.

YEAS.

Messrs. Archer,
Armstrong,
Barton,
Capner,
Chandler,
Christie,
Clifford,
Day,
Drake, sp.,
Dunham,
Dunn,

Earl,
Emley,
Ewing,
Foster,
Freas,
Humphreys,
Kinsey,
Lloyd,
Marsh,
Mott,
Munson,

McDowell,
Robertson,
Seeley,
Stites,
Stryker,
Townsend,
Toy,
Van Blarcom,
Van Winkle,
West—32.

NAY.

Mr. Lake.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that the amendments made thereto by Council have been agreed to by this House, and that they have caused said bill to be re-engrossed.

The speaker laid before the House a statement of the stock of the Hoboken Banking and Grazing Company, furnished agreeably to the requirements of the act of incorporation;

Which statement was read, and committed to Messrs. Marsh, Mott, and Dodd.

The House adjourned to ten o'clock to-morrow morning.

TUESDAY, November 7.

Ten o'clock—the House met.

Mr. Robertson and Mr. Dunham severally presented petitions from inhabitants of their respective counties, praying a revision of the judicial system of this state;

Which were together ordered to lie on the table.

Mr. Van Winkle presented a petition from a number of the inhabitants of Bergen county, praying for the incorporation of a company, to be located at Jersey City, under the name and style of the Bergen Insurance Company, for the purpose of ensuring property against loss or damage by fire or water;

Which petition was read, and committed to Messrs. Van Winkle, Dodd, and Townsend.

Mr. Earl, from the committee on the petitions on the subject of compensating jurors,

Reported a bill entitled, An act relative to jurors :

Which bill was read, ordered a second reading, and to be printed.

Mr. Earl, from the committee to whom was referred No. 4, of unfinished business, a bill entitled, An act to incorporate the New-Jersey Association for the Insurance of Houses and other Buildings from loss by Fire,

Reported the same, without amendment ;

Which bill, on motion, was dismissed.

Mr. Green, from the committee on No. 2, of unfinished business, a bill entitled, An act to incorporate the Princeton Banking Company,

Reported the same, without amendment ;

Which bill, on motion, was dismissed.

The engrossed bill entitled, An act to establish a new township in the county of Cape-May, to be called the township of Dennis, Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

On motion, made by Mr. Dodd for that purpose, the following committees were appointed, in conformity with a recommendation contained to that effect in the report of the joint-committee on the treasurer's accounts :

Messrs. Dodd, Robertson, and Woodhull, on the subject of the surplus moneys remaining in the hands of the treasurer.

Messrs. Capner, Green, and Foster, to inquire into the suggestions made in said report relative to the discharge of the duties of secretary of state.

Messrs. Archer, McDowell, and Stites, to inquire into the subject of payments made by the treasurer for inquisitions.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act to declare the boundary line between the townships of Wantage and Frankford, in Sussex county,

Without amendment.

And the message also informed, that the Council will be ready to go into a joint-meeting for the appointment of a senator until the fourth of March next; likewise a senator for six years from the fourth of March next: also a treasurer, and such other officers as may be deemed expedient, on Thursday next, at three o'clock P. M. in the Assembly room.

The House resumed the consideration of the bill entitled, An act to amend the judicial system of this state;

Which was gone through by section, and postponed.

The bill entitled, An act relative to partnerships,

Was read a second time, and postponed.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Dunn presented the petition of Abigail H. Pearsall, of Middlesex county, praying to be divorced from her husband;

Which petition was read, and committed to Messrs. Dunn, Armstrong, and Stryker.

Mr. Stryker, from the committee on No. 17, of unfinished business, a bill entitled, An act relative to habitual drunkards;

Reported the same, without amendment, and recommended that said bill be dismissed;

Which report was read, and agreed to.

Mr. Robertson, from the committee to whom was referred the petition of Jane Wilson, praying for a divorce from her husband John Wilson,

Reported, That having carefully considered the said petition, and the accompanying affidavits, have to regret the peculiar situation of the petitioner; and if they could with consistency, they would recommend a dissolution of the marriage contract: but the committee, under their views of its solemnity, and the deep interest society has in its perpetuity, and its being rigidly enforced, could not, in the present case, advise the legislature to interfere, or grant the request of the petitioner;

Which report was read, and agreed to.

The bill from Council entitled, An act respecting the Bog and Fly Meadow, in Morris county,

Was read a second time, and postponed.

The bill entitled, An act to incorporate the Convention of the Protestant Episcopal Church in the state of New-Jersey,

Was read a second time, progressed in, and postponed.

The House adjourned to ten o'clock to-morrow morning.

WEDNESDAY, November 8

Ten o'clock—the House met.

Mr. McDowell presented the memorial of Jonathan Thompson, on behalf of the United States, for the cession of the jurisdiction of the state of New-Jersey over certain lands in the county of Monmouth, for the purpose of erecting two light-houses thereon :

Which memorial was read, and committed to Messrs. McDowell, Kinsey, and Ewing.

Mr. Dunham presented the petition of Cornelius Cozine, of Hunterdon county, praying for a divorce from his wife :

Which petition was read, and committed to Messrs. Dunham, Dickerson, and Conover.

Mr. Capner presented a petition from a number of the inhabitants of Trenton, in Hunterdon county, praying the state to subscribe to the stock of the Delaware and Raritan Canal Company, and to adopt measures in favor of completing the canal :

Which petition was referred to the committee on that subject.

Mr. Kinsey presented the petition of the stockholders of the New-Jersey Protection and Lombard Bank, praying the restoration of the chartered privileges of said company, and the return of the sum of \$25,000, alleged to be paid to the state, as a bonus :

Which petition was read, and committed to Messrs. Kinsey, Bee, and Seeley.

Mr. Green presented the petition of John N. Simpson, esq., of New-Brunswick, Middlesex county, praying payment for his services, as a commissioner under the act making an appropriation for exploring and ascertaining the most practicable route for a canal to connect the tide waters of the Delaware and Raritan :

Which petition was read, and committed to Messrs. Green, Woodhull, and Capner.

Mr. McDowell, from the committee on the petition on that subject,

Reported a bill entitled, An act authorizing Ferdinand S. Van Arsdalen, administrator *de bonis non*, with the will and codicil thereto annexed, of Cornelius Cornell, deceased, to sell and convey real estate :

Which bill was read, and ordered a second reading.

Mr. Kinsey, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to authorize Hannah Barcoe to inherit real estate :

Which bill was read, and ordered a second reading.

Mr. Dunham, from the committee on No. 12, of unfinished business, a bill entitled, An act relative to the office and duties of the attorney-general of this state,

Reported the same, without amendment :

Which bill was read, and, on motion, was dismissed.

The House resumed the consideration of the bill entitled, An act relative to partnerships;

The first section of which was disagreed to, and the bill dismissed.

The House resumed the consideration of the bill entitled, A further supplement to the act entitled An act concerning roads;

Which, after considerable discussion, was ordered to lie on the table.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed a bill entitled, Additional supplement to the act entitled An act constituting courts for the trial of small causes,

To which bill they request the concurrence of the House of Assembly—

Which bill was read, ordered a second reading, and committed to Messrs. Mott, Green, and Marsh.

The House resumed the consideration of the bill from Council, entitled, An act respecting the Bog and Fly Meadow, in Morris county;

Which was gone through by section, and ordered a third reading.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Dunham, from the committee on the petition on that subject.

Reported a bill entitled, An act to divorce Cornelius Cozine from his wife Elizabeth Cozine;

Which bill was read, and ordered a second reading.

Mr. Capner submitted the following preamble and resolution:

Whereas, there are several items standing on the books of the treasurer of this state, which are unavailable—Therefore,

Resolved, That he be directed to balance the account of \$6,131.02 standing against Peter Gordon, late treasurer; and also the sum of \$462 of tax due from the State Bank at Trenton, on the 1st day of January last; and that he be directed to discontinue any further charge, so long as that institution does not continue its banking operations; and also, that he be directed to balance the charge of \$7.49 against the collector of Middlesex, for oyster rents;

Which preamble and resolution were read, and ordered to lie on the table.

The House then proceeded to make their nominations of candidates for the several offices therein expressed, a duplicate of which was sent to Council, and

The House adjourned to ten o'clock to-morrow morning.

THURSDAY, November 9.

Ten o'clock—the House met.

Mr. Townsend presented the petition of Roxanna Collins, of Cape-May county, praying, for reasons set forth therein, to be divorced from her husband;

Which petition was read, and committed to Messrs. Townsend, Stryker, and Lloyd.

Mr. Mott, from Burlington, Mr. Cook, from Middlesex, and Mr. Green, from Somerset, severally presented petitions from inhabitants of their respective counties, in favor of the state subscribing to the stock of the Delaware and Raritan Canal, and praying the adoption of measures for the accomplishment of the same;

Which were together referred to the committee on that subject.

Mr. Green presented the petition of Rebecca Snowhill, widow of George Snowhill, late of the county of Middlesex, deceased, praying authority to sell certain lands, late the property of said deceased;

Which petition was read, and committed to Messrs. Green, Dunn, and Robertson.

Mr. Toy presented the petition of Elizabeth C. Furman, of Tuckerton, Burlington county, praying to be divorced from her husband;

Which petition was read, and committed to Messrs. Toy, French, and Day.

Mr. Kinsey presented the memorial of the directors of the late New-Jersey Protection and Lombard Bank, praying the restoration of their charter, and the return of the bonus paid to the state;

Which memorial was read, and referred to the committee to whom was committed the memorial of the stockholders of said institution.

Mr. McDowell, from the committee to whom was referred the memorial on that subject,

Reported a bill entitled, An act to vest in the United States of America the jurisdiction over a certain piece of land in the county of Monmouth;

Which bill was read, ordered a second reading, and to be printed.

Mr. Dunn, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to divorce Abigail H. Pearsall from her husband Peter R. Pearsall;

Which bill was read, and ordered a second reading.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act to establish a new township in the county of Cape-May,

Without amendment.

And the message also informed, that the Council have passed a bill entitled, A supplement to the act regulating fences, passed the 23d of January, 1799—

To which bill they request the concurrence of the House of Assembly;

Which bill was read, and ordered a second reading.

Mr. Dodd submitted the following resolution:

Resolved, That the committee appointed to bring in a tax bill, be instructed to provide therein for the reasonable taxation of bonds and mortgages;

Which resolution was read, and ordered to lie on the table.

Mr. Ewing submitted the following resolution:

Resolved. That it is highly expedient, and consistent with the interest, convenience, and welfare of the citizens of New-Jersey, that the annual elections in the several counties of this state should be limited to one day, and that a committee be appointed to bring in a bill for that purpose;

Which resolution was read, and ordered to lie on the table.

On motion of Mr. Dodd. it was

Ordered, That the clerk inform Council of the appointment of the committee of this House, to whom were referred the memorials and petitions on the subject of the Delaware and Raritan Canal. and to request the Council, on their part, to appoint a correspondent committee.

The bill entitled, An act authorizing Ferdinand S. Van Arsdalen administrator *de bonis non*, with the will and codicil thereto annexed, of Cornelius Cornell, deceased, to sell and convey real estate,

Was read a second time, gone through by section, and ordered to be engrossed.

The bill from Council entitled, An act respecting the Bog and Fly Meadow, in Morris county,

Was read a third time.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

Ordered. That the clerk inform Council, that the House have passed said bill,

Without amendment.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Capner presented the petition of the administrators of Matthias Bellis, late of Hunterdon county, deceased, and of William W. Bellis, praying for a law to make title to lands purchased by William W. Bellis:

Which petition was read, and committed to Messrs. Capner, Christie, and Cook.

Mr. Christie presented the Bergen county abstract;

Which was ordered to lie on the table.

The Council came into the Assembly room, the two Houses went into a joint-meeting, and, after going through their appointments in part, the joint-meeting rose, the speaker resumed the chair, the House came to order, and

Adjourned to ten o'clock to-morrow morning.

FRIDAY, November 10.

Ten o'clock—the House met.

Mr. Drake, the speaker, being absent from the chair, John T. Woodhull, esq., was unanimously elected speaker *pro tempore*.

Mr. Toy, from the committee to whom was referred the petition of Elizabeth C. Furman,

Reported a bill entitled, An act to divorce Elizabeth Furman from her husband Howard Furman;

Which bill was read, and ordered a second reading.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have appointed Messrs. Newbold, Swain, and Mackey, a committee on their part, pursuant to the request of the House of Assembly, on the memorial of the committee of the managers of the Delaware and Raritan Canal Company, praying the repayment to them of the bonus of \$100,000, and the other matter stated in said message.

The Council came into the Assembly room, the two Houses went into a joint-meeting, agreeably to adjournment, and, after going through their appointments, the joint-meeting rose, the speaker *pro tempore* resumed the chair, and the House came to order.

The engrossed bill entitled, An act authorizing Ferdinand S. Van Arsdalen, administrator *de bonis non*, with the will and codicil thereto annexed, of Cornelius Cornell, deceased, to sell and convey real estate.

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The bill entitled, An act to incorporate the Lodi Bank Meadow and Grazing Company,

Was read a second time, and postponed.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Capner, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to authorize Elizabeth Bellis, William M. Bellis, and Ralph M. Bellis to convey certain real estate to William W. Bellis.

Which bill was read, and ordered a second reading.

Mr. Christie, with leave, presented a bill entitled, An act to extend the power and duties of justices of the peace in the several counties of this state, in certain cases ;

Which bill was read, ordered a second reading, and to be printed.

The bill entitled, An act to confirm certain acknowledgments of deeds and other instruments, taken by Aaron Decker, esq.,

Was read a second time, progressed in, and postponed.

The bill from Council entitled, A supplement to the Act regulating fences, passed the 23d of January, 1799,

Was read a second time, the first section disagreed to, and the clerk ordered to inform Council, that the House have disagreed to said bill.

The House adjourned to ten o'clock on Monday morning.

MONDAY, November 13.*Ten o'clock—the House met.*

Mr. Earl presented petitions from inhabitants of Burlington county, praying an increased compensation to jurors ;

Which petitions were ordered to lie on the table.

Mr. Kinsey presented the petition of the president and directors of the Paterson and Hamburg Turnpike Company, complaining of the non-receipt of their proportion of the money raised by lottery, some years ago, owing to the fraudulent conduct of Isaac G. Ogden, who withheld the same, and praying a revival of the said lottery law, so far as to authorize the drawing of another class of said lottery at Jersey City.

Mr. Chandler also presented a petition of a number of the inhabitants of Hardiston, Vernon, Wantage, and Montague, in Sussex county, praying a law authorizing a lottery to complete the Paterson and Hamburg Turnpike, across the Blue Mountain ;

Which petitions were read, and committed to Messrs. Kinsey, Chandler, and Jackson.

Mr. Townsend presented the Cape-May county abstract ;

Which was ordered to lie on the table.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Ewing presented the memorial and remonstrance of the New-Jersey Delaware Oyster Company, praying that they may be permitted to pursue the object of their charter, without further expense or embarrassment; and that the inquiry instituted into the conduct of the commissioners be dismissed;

Which memorial and remonstrance were read, and referred to the committee on that subject.

Mr. Humphreys, from the committee to whom was referred the petition and report on that subject,

Reported a bill entitled, An act to repeal the supplement to an act entitled An act to establish a new township in the county of Salem, to be called the township of Centreville, passed November 19, 1821;

Which bill was read, ordered a second reading, and to be printed.

Mr. French, from the committee to whom was referred the petition and report on that subject,

Reported a bill entitled, An act authorizing John Uron and Philip Pew, and others, to embank a tract of meadow in the county of Gloucester:

Which bill was read, and ordered a second reading.

Mr. Freas presented the following report of the quartermaster-general:—

To the Honorable the Council and General Assembly of the State of New-Jersey.

Garret D. Wall, quartermaster-general of the state of New-Jersey, respectfully reports—

That on the 1st November, 1825, Capt. William Muirhead, of the Governor's Guards, Hunterdon Brigade, delivered in the arsenal fifteen muskets, of those formerly loaned to Capt. Zachariah Rossell, formerly captain of the said company. On the 8th of November, 1825, Capt. David Hutchinson, of the Jersey Blues, Hunterdon Brigade, delivered in the arsenal thirteen muskets, of those formerly loaned to Capt. James J. Wilson, former captain of said company. On the same day, Capt. Daniel Baker, late captain of the Phoenix Company, Hunterdon Brigade, delivered in the arsenal fourteen muskets, of those formerly loaned to Capt. Garret D. Wall, formerly captain of the said company. On the 31st May, 1826, Col. Brees, of the Second Regiment, Somerset Brigade, returned to the arsenal the fifty stand of arms formerly loaned to Capt. Hezekiah Morris. Many of the said muskets were broken, or otherwise injured, and defective in equipments, as will appear by schedule A, which is annexed to this report.

Since the last annual report, the quartermaster-general has delivered, to the order of the brigade board of the Essex Brigade, three hundred stand of arms; to the order of the brigade board of the Sussex Brigade, seventy stand; to the order of the brigade board of the Warren Brigade, two hundred stand of arms; to the order of

the brigade board of the Salem Brigade, one hundred and forty stand of arms; to the order of the brigade board of the Monmouth Brigade, one hundred and forty stand of arms; and to the order of the brigade board of the Somerset Brigade, two hundred and fifty stand of arms, with the accoutrements complete, and branded pursuant to An act respecting public arms, passed 28th December, 1824. The other brigade boards have not caused any order to be delivered to the quartermaster-general for their respective quotas. There now remains in the arsenal, eight hundred stand, branded and struck, and boxed up, for distribution; seventeen hundred and seventy-five cleaned, and in readiness to be struck and branded, and prepared for distribution; two hundred and eighteen, to be cleaned, and ninety-four stand out of repair; making in the whole, now in the arsenal, two thousand eight hundred and eighty-seven stand, besides the three hundred and fifty rifles referred to in the last report. There also remains in the arsenal, three hundred and forty-nine powder-flasks, eight camp-kettles, twenty-six camp pans, eleven marquees, one hundred and thirty tents, five hundred tent poles, thirty-three canister and ball boxes, one thousand and thirty-five knapsacks, eighty-four three-pound shot, three hundred and forty-six six-pound shot, eighty-eight canister shot, four hundred and eighty-three canteens, and six officers' valises.

The quartermaster-general has delayed this report, in the hope of being furnished with the returns of the brigade majors of the several brigades, in order that the report might be made more perfect. The only return which has been received, is from the brigade major of the Bergen Brigade, which states, that, since his last report, Gen. Ackerson has purchased an iron three-pounder; which is attached to the third regiment, and is under the care of Capt. Peter Berry, and with the two other pieces, with their accoutrements, are kept in good order.

The quartermaster-general respectfully begs leave to call the attention of the legislature to the observations and suggestions contained in his last report.

A reference to the same report, will exhibit a return of the arms loaned by the state, or purchased by fines for exemption or delinquencies. The quartermaster-general is not aware of any alteration in respect thereto, but such as is noticed in this report.

Schedule B, hereto annexed, exhibits a statement of the arms distributed under the act of 28th December, 1824.

GARRET D. WALL,

Quartermaster-General of New-Jersey.

Trenton, Nov. 13, 1826.

Which report was read, and together with the accompanying schedules, was referred to the military committee.

The bill entitled, An act to divorce Elizabeth C. Furman from her husband Howard Furman,

Was read a second time, with the accompanying documents, considered by section, and ordered to be engrossed.

The bill entitled, An act to vest in the United States of America the jurisdiction over a certain piece of land in the county of Monmouth,

Was read a second time, gone through by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act to confirm certain acknowledgments of deeds and other instruments, taken by Aaron Decker, esq.;

Which was gone through by section, and ordered to be engrossed.

The House adjourned to ten o'clock to-morrow morning.

TUESDAY, November 14.

Ten o'clock—the House met.

Mr. Dodd presented petitions from a number of the inhabitants of Newark and its vicinity, praying a law to authorize the re-establishment of the Old Ferries across the Passaic and Hackensack rivers;

Which petitions were read, and committed to Messrs. Dodd, Van Winkle, and Munson.

Mr. Van Blarcom presented a petition from a number of the inhabitants of Paterson, Essex county, in favor of altering the judicial system of this state &c.;

Which petition was ordered to lie on the table.

Mr. Townsend presented the petition of a number of the inhabitants of Cape-May county, expressing their satisfaction with the charter of the New-Jersey Delaware Oyster Company, and praying that its present organization may continue;

Which petition was read, and committed to the committee on that subject.

Mr. Chandler presented a petition from a number of the inhabitants of the townships of Hardiston, Vernon, Wantage, and Montague, in Sussex county, praying a lottery for the completion of the Paterson and Hamburgh Turnpike;

Which petition was referred to the committee on that subject.

Mr. Kinsey, from the committee to whom was referred the petitions on that subject,

Reported a bill entitled, A supplement to the act entitled An act to facilitate the intercourse between the states of New-York and Pennsylvania, and this state, passed the 15th February, 1826;

Which bill was read, and ordered a second reading.

Mr. Van Winkle, to whom was referred the petition on that subject,

Reported a bill entitled, An act to incorporate the Bergen county Insurance Company ;

Which bill was read, and ordered a second reading.

Mr. Townsend, from the committee to whom was referred the petition of Roxanna Collins, praying a divorce from her husband Arthur Collins,

Reported, That it is inexpedient, at this time, to legislate on that subject ;

Which report was read, and agreed to.

The bill entitled, An act to divorce Cornelius Cozine from his wife Elizabeth Cozine,

Was read a second time, with the accompanying documents, considered by section, and ordered to be engrossed.

The engrossed bill entitled, An act to vest in the United States of America the jurisdiction over a certain piece of land in the county of Monmouth,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to confirm certain acknowledgments of deeds and other instruments, taken by Aaron Decker, esquire,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The engrossed bill entitled, An act to divorce Elizabeth C. Furman from her husband Howard Furman,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was decided in the negative, as follows :

YEAS.

Messrs. Archer,
Barton,
Capner,
Christie,
Clifford,
Conover,
Cook,

Dunn,
Earl,
Emley,
Ewing,
Foster,
Freas

Kinsey,
Mott,
Seeley,
Townsend,
Toy,
West—19.

NAYS.

Messrs. Day,
Dodd,
Drake, sp.,
Dunham,

French,
Green,
Humphreys,
Lake,

McDowell,
Stryker,
Vroom—11.

On motion of Mr. Dunham, the House decided in favor of reconsidering the vote on the above bill, and the bill was then postponed.

The bill entitled, An act to authorize Elizabeth Bellis, William M. Bellis, and Ralph M. Bellis to convey certain real estate to William W. Bellis,

Was read a second time, progressed in, and postponed.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Van Winkle presented the petition of John C. and R. L. Stevens, of Bergen county, praying for a law to authorize the establishment of a course on the island of Hoboken for trials of speed, under certain regulations, with a view to improve the breed of horses;

Which petition was read, and committed to Messrs. Van Winkle, Cook, and West.

Mr. Ewing, of Cumberland, and Mr. Dickerson, of Morris, severally presented the abstract of their respective counties;

Which were ordered to lie on the table.

Mr. Capner presented a petition from a number of the inhabitants of Hunterdon county, praying the state to subscribe to the stock of the Delaware and Raritan Canal Company, and to aid the completion of the same;

Which petition was referred to the committee on that subject.

Mr. Green presented the petition of Mary Lupp and others, of Somerset county, praying for a law to authorize the administrator of the estate of Peter Lupp the elder, deceased, to execute a title for certain lands;

Which petition was read, and committed to Messrs. Green, Clifford, and Townsend.

The House resumed the consideration of the bill entitled, An act to incorporate the Convention of the Protestant Episcopal Church in the state of New-Jersey;

Which was gone through by section, and ordered to be engrossed.

The House adjourned to ten o'clock to-morrow morning.

WEDNESDAY, November 15.

Ten o'clock—the House met.

Mr. Lloyd presented the petition of John Haggerty and James P. Allaire, for a law to incorporate the Howell Furnace Company, for the purpose of carrying on extensively the manufacture of iron, brass, &c.;

Which petition was read, and committed to Messrs. Lloyd, Freas, and Dickerson.

Mr. Green presented the petition of William McKissack, of Somerset county, praying remuneration for eighteen eight dollar bills of New-Jersey money, received for flour sold the army, mislaid in 1780 or '81, and which have recently been found;

Which petition was read, and committed to Messrs. Green, Dunn, and Dunham.

Mr. Cook presented the petition of Maria Stafford, of Middlesex county, praying to be divorced from her husband;

Which petition was read, and committed to Messrs. Cook, Christie, and Clifford.

On motion of Mr. Dunham, the engrossed bill entitled, An act to divorce Cornelius Cozine from his wife Elizabeth Cozine,

Was called up, and recommitted.

The engrossed bill entitled, An act to incorporate the Convention of the Protestant Episcopal Church in the state of New-Jersey, Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Armstrong,
Barton,
Chandler,
Christie,
Clifford,
Conover,
Cook,
Day,
Dodd,
Drake, sp.,

Dunham,
Dunn,
Earl,
Emley,
Foster,
Green,
Kinsey,
Lloyd,
Marsh,
Mott,

Munson,
McDowell,
Robertson,
Seeley,
Stites,
Townsend,
Van Blarcom,
Van Winkle,
West,
Woodhull—51.

NAYS.

Messrs. Bee,
Dickerson,
Freas,

French,
Humphreys,

Jackson,
Lake—7.

Ordered, That the speaker sign the same.

Ordered. That the clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

Mr. Green, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to authorize John Oothout, administrator of the goods and chattels, rights and credits, of John Oothout the elder, deceased, to convey and assure to Mary Lupp, during her life, with remainder in fee to Peter Lupp, a house and lot of land in the city of New-Brunswick, and county of Somerset; Which bill was read, and ordered a second reading.

Mr. Green, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to authorize Rebecca Snowhill, widow of George Snowhill, deceased, to make sale of certain real estate;

Which bill was read, and ordered a second reading.

Mr. Green, from the committee to whom was referred the message of his Excellency the Governor, together with his correspondence with the Governor of New-York, touching the arrest of a ministerial officer of that state,

Reported. That they have carefully examined the history of the unhappy dispute between this state and New-York, and have noticed, with satisfaction, that New-Jersey has always manifested a disposition to settle the same upon fair and liberal principles.

As early as the year 1798, the legislature of New-York passed an act entitled, An act to preserve and support the jurisdiction of that state. The preamble to this act is as follows:—"Whereas evil minded persons, under pretence of authority derived from other states, or from the general government of the United States, to serve process within the state or district of New-York, have excited disturbances among the peaceful citizens thereof: and whereas much mischief is apprehended from such practices, by means that our citizens are called out of their proper jurisdiction to answer to such illegal processes, and may be much harassed in defending the same; and whereas the entire jurisdiction of this state ought to be preserved and respected". The provisions of the act are in accordance with the spirit of this preamble, and are highly penal in their character. This act was the first that was passed, either by New-York or New-Jersey, and may be considered the commencement of the legislative warfare between the two states. Your committee are not aware that New-Jersey passed any act by way of retaliation. They find, that in the year 1807, the points in controversy were submitted to commissioners, appointed on the part of both states, and were fully and ably discussed. The commissioners on the part of New-York would not depart from their claim over the whole waters lying between the respective states, including shores, roads, and harbors within the natural territorial limits of New-Jersey: and, as was to be expected from the character, talents, and spirit of

the commissioners of New-Jersey, this claim was denied. The commissioners of New-York would not agree to any general jurisdictional line inconsistent with the principles set up by them, and declare, that they could not accede to a proposition by which the middle of the river Hudson, *for any distance*, should be the line dividing the jurisdiction. They even refused, by way of compromise, and without reference to the strict rights of either state, to agree upon some boundary line which should be convenient to both states. Such was the result of the effort at a settlement of this difference in 1807. As this attempt to adjust, by negotiation, this dispute, was thus defeated by the high, unyielding, and unreasonable conduct and language of the New-York commissioners, nothing remained but that the legislature of New-Jersey should assert their rights, and protect them by some law nearly as broad in its terms, and as severe in its penalties, as the act of 1798. This was done by the passage of the act of December 3, 1807. And yet, even in this law, and under the circumstances of excitement which then existed, a spirit for friendly negotiation is manifested. The legislature of New-York then passed the law of April, 1808, which is as much, if not more offensive in its provisions, than the act of 1798, and adopts the principles of the New-York commissioners.

Another effort was made, by the legislature of New-Jersey, to arrange this difference, by submitting it to the highest tribunal of the nation. A resolution to that effect, your committee is informed, passed the legislature, but the offer was declined by New-York.

Your committee do not deem it essential that they should further detail the provisions of the several laws which the legislature of this state have considered it necessary to pass, in order to protect the rights of Jerseymen, and to resist the encroachments of New-York.

In 1824, a disposition to settle, by amicable arrangement, these differences, was manifested by his Excellency Governor Clinton, and the legislature of New-Jersey passed the act entitled, An act for the settlement of territorial limits and jurisdiction between the states of New-Jersey and New-York. Nothing was done on the part of New-York—no commissioners were appointed; and the act is now a dead letter.

This subject is again brought before the legislature, in consequence of a letter addressed by Governor Clinton to Governor Williamson. Your committee learn, from a letter written by Joseph W. Scott, esquire, prosecutor of the pleas of the county of Middlesex, to Governor Williamson, "that in the early part of July last, the brig Irene arrived at Perth-Amboy from Ireland. Captain William Curran, the master, was, on Saturday, the eighth day of the same month, arrested on board his vessel, lying there, about fifty yards from the Amboy shore. The pretence of his arrest was the violation of some municipal regulation of the city of New-York. The brig was, at the time, within the certain and undisputed territorial limits of this state, and within the chartered bounds of the city of Perth-Amboy. The arrest was made under color, and by virtue of a writ

of *capias ad respondendum*, issued out of the Supreme Court of New-York, at the suit of the mayor, aldermen, and commonalty of the city of New-York, for ten thousand dollars. Captain Curran was taken to the city of New-York, and closely confined in prison for several days, and until he gave an order on his consignees for five hundred dollars, and executed a release of all actions arising from this arrest."

These various matters were laid before the grand jury of the county of Middlesex, at the last September term, and a bill of indictment found against the deputy sheriff of the county of Richmond and two others, for this violation of the act of December 3, 1807.

His Excellency the Governor of New-Jersey, in his answer to Governor Clinton, remarks, among other things—"The territory of this state, as claimed and asserted by the acts of her legislature, has been repeatedly violated by the ministerial officers of the state of New-York; and in one instance, which occurred but a few years ago, a person was arrested upon a civil process, issued under the laws of New-York, whilst actually standing on one of the piers at Jersey City, and taken to the city of New-York; for which offence the officer serving the process now stands indicted in the county of Bergen, and is liable to be arrested and tried, if he should be found in this state. In the present case, if the information which has been given to me be correct, the offence was committed in the port of Amboy, and within a few yards of the Jersey shore; and the officer had full notice, that he was violating the laws of this state, and acted under a promise of indemnity."

The governor further remarks, "that the legislative warfare between the two states, respecting boundary and jurisdiction, was not begun by New-Jersey, and was resorted to by her legislature only to repel encroachments, and from a necessity produced by the statutes of New-York: and if, by enforcing her law to preserve and support the jurisdiction of this state, an innocent officer shall unfortunately suffer for executing his duty under the laws of New-York, the cause is to be sought for, not in any want of good feeling on the part of New-Jersey, or a disregard, by her, of that friendship which ought always to prevail between neighboring and confederate states, but in the laws and legislative proceedings of the state of New-York: for as long as the state of New-York shall continue in force her statutes of August 10, 1798, and April 6, 1808, and shall neglect to adopt any measure for a final settlement and termination of the differences between the two states, New-Jersey has no alternative but tamely to surrender what she considers her just rights, or to enforce the law which she has been compelled to resort to for their preservation."

Your committee can discover no good reason why the legislature of New-Jersey should interfere with the execution of the law. The arrest and indictment of the sheriff of Richmond county, perhaps, presents as fair an occasion for judicially determining the question of boundary between this state and New-York as can occur. As, however, his Excellency the Governor of New-York has expressed

the opinion, that this difference may still be amicably adjusted, and a wish that the proceedings on the indictment may be suspended till after the next session of the legislature of New-York, to give that body an opportunity to appoint commissioners, your committee would therefore recommend the extension of the provisions of the act of 1824, to the first day of June next, and the adoption of a resolution requesting his Excellency the Governor to instruct the prosecutor of the county of Middlesex to continue the recognizance of the then sheriff of the county of Richmond till the June term of Oyer and Terminer for the county of Middlesex, and till such subsequent term of that court as his excellency may consider expedient and for the public interest;

Which report was read, and ordered to lie on the table.

Mr. Dodd submitted the following resolution :

Resolved, That two hundred copies of the report of the commissioners on the controversy with the state of New-York, respecting the eastern boundary of the state of New-Jersey, made to the legislature in the year 1807, be printed, under the direction of the committee of this House, to whom was referred the communication of his Excellency the Governor, respecting the arrest of a ministerial officer of the state of New-York, together with the report made by that committee to this House, and such other documents connected therewith as they shall deem proper;

Which resolution was read, and agreed to.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Earl presented a petition from inhabitants of Burlington, praying an additional compensation to jurors :

Which petition was ordered to lie on the table.

Mr. Vroom presented the petition of the president, on behalf of the board of trustees of Rutgers College, at New-Brunswick, praying the return to them of a just proportion of the sum of \$5000, paid into the treasury of the state from the avails of the Queen's College Lottery;

Which petition was read, and referred to the committee to whom was committed No. 5, of unfinished business, a bill entitled, An act to facilitate and promote the education of youth.

Mr. Dodd, with leave, presented a bill entitled, A supplement to the act entitled An act concerning forcible entries and detainers, passed the 2d March 1798;

Which bill was read, ordered a second reading, and to be printed—

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act authorizing Ferdinand S. Van

Arsdalen, administrator *de bonis non*, with the will and codicil thereto annexed, of Cornelius Cornell, deceased, to sell and convey real estate.

With amendments—

To which amendments they request the concurrence of the House of Assembly:

Which amendments were read, agreed to, and the bill, as amended, ordered to be re-engrossed.

The House adjourned to ten o'clock to-morrow morning.

THURSDAY, November 16.

Ten o'clock—the House met.

Mr. McDowell presented the petition of a number of the citizens of New-Brunswick, praying that the members of the fire companies in that city be exempted from the performance of common militia duty, and from service on juries in courts for the trial of small causes,

Which petition was read, and committed to Messrs. McDowell, Stryker, and Capner.

Mr. Archer presented a petition from the inhabitants of the town of Salem, praying an act of incorporation for said town:

Which petition was read, and committed to Messrs. Archer, Ewing, and Marsh.

Mr. Dunn presented the petition of the administrators of the estate of Ephraim G. McKay, late of Middlesex, deceased, and George H. Stout, praying for a law appointing commissioners to sell the real estate of said deceased:

Which petition was read, and committed to Messrs. Dunn, Dunham, and Dodd.

Mr. Ewing presented a petition from a number of the inhabitants of the counties of Cumberland and Cape-May, praying the continuance of their chartered privileges to the New-Jersey Delaware Oyster Company.

Mr. Toy presented the statement of John E. Jeffers, one of the commissioners of the New-Jersey Delaware Oyster Company, together with certain documents, in justification of his conduct;

The former of which was read, and together ordered to lie on the table.

Mr. Dodd, from the committee to whom was referred the petition on that subject.

Reported a bill entitled, An act to incorporate the Passaic and Hackensack Ferry and Road Company;

Which bill was read, and ordered a second reading.

Mr. Dunham, from the committee to whom was recommended the

engrossed bill entitled, An act to divorce Cornelias Cozine from his wife Elizabeth Cozine,

Reported the same, with an amendment;

Which amendment was agreed to, and the bill, as amended, ordered to be re-engrossed.

The bill entitled, A further supplement to the act entitled An act concerning roads, passed the 9th of February, 1818,

Was read a second time, progressed in by section, and postponed.

The bill entitled, An act to incorporate the Bergen county Insurance Company,

Was read a second time, progressed in by section, and postponed.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. French presented a petition from certain proprietors of meadows on Newton creek, Gloucester county, praying an alteration of the law authorizing the erection of a dam, bank, and other necessary waterworks across the mouth of the same;

Which petition was read, and committed to Messrs. French, Archer, and Foster.

Mr. Marsh, from the committee to whom was referred the statement of the Hoboken Banking and Grazing Company,

Reported, That, in the opinion of your committee, the statement made by said company is not such as is required by the eighth section of their act of incorporation entitled, A supplement to an act entitled An act to incorporate the New-Jersey Salt Marsh Company, passed January 23, 1820, and would recommend the adoption of the following resolution:

Resolved, by the Council and General Assembly of New-Jersey, That James Parker, James Vanderpool, and Asa Whitehead, or any two of them, be, and they are hereby authorized and appointed to examine into the situation and affairs of the Hoboken Banking and Grazing Company, and to inquire, whether the capital stock of the said company was subscribed and paid in, agreeably to the requisition of the act incorporating said company, or any supplement thereto? and, whether the said company have employed, and continue to employ one-half of the capital stock of said company for the uses and purposes specified in the act entitled, An act to incorporate the New-Jersey Salt Marsh Company? and that they make report thereon to the legislature of this state.

And your committee would further recommend the adoption of the following resolution:

And be it further resolved, That the said commissioners, or any two of them, be authorized and directed particularly to examine into the situation and affairs of the President, Directors, and Com-

pany of the Jersey Bank, and also of the President, Directors, and Company of the Franklin Bank of New-Jersey—and that they make report thereon to the legislature of this state;

Which report was read, and ordered to lie on the table.

Mr. Marsh, from the committee to whom was referred No. 15, of unfinished business, a bill entitled A further supplement to the act entitled An act for the settlement and relief of the poor.

Reported the same, with amendments, and the title changed so as to read, A further supplement to the act entitled An act respecting apprentices and servants;

Which amendments were agreed to, and the bill, as amended, read, ordered a second reading, and to be printed.

Mr. Woodhull presented the following report of the proprietors of the New-Brunswick Bridge, in conformity with the provisions contained in the act supplementary to their charter:

Which report was read, and ordered to lie on the table.

Mr. Ewing, from the committee to whom was referred the memorial of Jonathan Dallas and others, complaining of the conduct of the commissioners and directors of the New-Jersey Delaware Oyster Company,

Reported, That they have examined carefully the memorial and accompanying documents, and, without giving any opinion on the merits of the dispute, are impressed with a belief that the rights of all parties can be more properly ascertained and settled in a judicial tribunal, than by this legislature; they therefore beg leave to recommend the adoption of the following resolution:

Resolved, That the attorney-general of the state be required to file an information, in the nature of a *quo warranto*, against the said New-Jersey Delaware Oyster Company, to inquire, by what right and authority the said corporation exercise their privileges and powers?

Which resolution was read, and ordered to lie on the table.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have disagreed to the bill from the House of Assembly entitled, An act to confirm certain acknowledgments of deeds and other instruments, taken by Aaron Decker, esquire.

The bill entitled, A further supplement to the act entitled An act concerning roads, was called up, and recommitted.

The House resumed the consideration of the bill entitled, An act to amend the judicial system of this state;

Which was ordered to be engrossed.

The re-engrossed bill entitled, An act authorizing Ferdinand S. Van Arsdalen, administrator *de bonis non*, with the will and codicil thereto annexed, of Cornelius Cornell, deceased, to sell and convey real estate,

Was read and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

That the speaker sign the same.

Ordered. That the clerk carry said bill to Council, inform them that the amendments made in Council have been agreed to by this House, and have caused said bill to be re-engrossed.

The engrossed bill entitled, An act to divorce Elizabeth C. Furman from her husband Howard Furman,

Was read and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,	Dunn,	Marsh,
Armstrong,	Earl,	Mott,
Capner,	Emley,	Secley,
Christie,	Ewing,	Townsend,
Clifford,	Foster,	Toy,
Conover,	Jackson,	West,
Cook,	Kinsey,	Woodhull--23.
Dickerson,	Lloyd,	

NAYS.

Messrs. Bee,	French,	Robertson,
Chandler,	Green,	Stites,
Day,	Humphreys,	Stryker,
Dodd,	Lake,	Van Blarcom,
Drake, sp.,	Munson,	Van Winkle,
Dunham,	McDowell,	Vroom--18.

Ordered. That the speaker sign the same.

The engrossed bill entitled, An act to divorce Cornelius Cozine from his wife Elizabeth Cozine,

Was read the third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,	Drake, sp.,	Lloyd,
Armstrong,	Dunham,	Marsh,
Bee,	Dunn,	Mott,
Capner,	Earl,	McDowell,
Christie,	Emley,	Robertson,
Clifford,	Foster,	Townsend,
Cook,	French,	Toy,
Day,	Humphreys,	West,
Dickerson,	Jackson,	Woodhull--29.
Dodd,	Kinsey,	

NAYS.

Messrs. Ewing,
Green,
Lake,
Munson,

Seeley,
Stites,
Stryker,

Van Blarcom,
Van Winkle,
Vroom—10.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to ten o'clock to-morrow morning.

FRIDAY, November 17.

Ten o'clock—the House met.

Mr. Van Blarcom presented a memorial and remonstrance of Abraham Turse and others, managers, for the time being, of the concerns of the Frank and Guisard's Creek Company, praying that the bill for incorporating the Lodi Bank Meadow and Grazing Company, if passed, may be so guarded as not to embrace any part of the meadow pertaining to the said Frank and Guisard's Creek Company;

Which petition and remonstrance were read, and ordered to lie on the table.

Mr. Marsh presented the petition of a number of the inhabitants of the county of Morris, complaining of the inequality of taxation, on account of the exemption therefrom of wealthy persons having their property in bonds and mortgages, while the burthen rests solely on those whose property consists in real estate, and praying relief in the premises;

Which petition was read, and committed to Messrs. Marsh, Armstrong, and Townsend.

Mr. Dodd, from the committee on the resolution on that subject,

Reported a bill entitled, An act relative to insurance companies;

Which bill was read, ordered a second reading, and to be printed.

Mr. Cook, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to divorce Maria Stafford from her husband Joseph B. Stafford;

Which bill was read, and ordered a second reading.

Mr. Dodd, from the committee to whom was referred No. 5, of unfinished business, An act to facilitate and improve the education of youth,

Reported the same, without amendment;

Which bill was ordered to lie on the table.

Mr. Dodd, from the same committee,

Reported a bill entitled, An act for the encouragement of literature,

Which bill was read, and ordered a second reading.

The bill entitled, An act to authorize John Oothout, administrator of the goods and chattels, rights and credits, of John Oothout the elder, deceased, to convey and assure to Mary Lupp, during her life, with remainder in fee to Peter Lupp, a house and lot of land in the city of New-Brunswick, and county of Somerset;

Was read a second time, with the accompanying documents, and postponed.

The House took up the report of the joint-committee of Council and Assembly, made by Mr. Ewing, yesterday, on the memorial and petitions respecting the New-Jersey Delaware Oyster Company;

Which report was read, agreed to, and the clerk ordered to carry the same to Council for concurrence.

The House adjourned to three o'clock in the afternoon.

Three o'clock--the House met.

Mr. Stryker presented the petition of Ann M. Griffith, of Somerset county, praying to be divorced from her husband;

Which petition was read, and committed to Messrs. Stryker, Dunham, and Townsend.

Mr. Green presented the petition of a number of the inhabitants of the borough of Princeton and its vicinity, praying for a law to define, and permanently fix the boundary lines of the counties of Somerset and Middlesex.

Mr. Green also presented a petition from a number of the inhabitants of that part of New-Brunswick lying within the bounds of the county of Somerset, praying an alteration of the division line between that county and Middlesex, and that that part of the city of New-Brunswick may be annexed to Middlesex county;

Which petitions were read, and together committed to Messrs. Green, McDowell, and Clifford.

Mr. Earl presented the petition of the inhabitants of the village of New Mills, in Burlington county, praying that said village may be erected into a borough;

Which petition was read, and committed to Messrs. Earl, Vroom, and Stites.

Mr. Dunham, from the committee to whom was referred No. 27, of unfinished business, a bill entitled, An act directing the time and mode of electing representatives in congress and electors of president and vice-president of the United States, on the part of this state, in districts,

Reported the same, without amendment;

Which bill was read, ordered a second reading, and to be printed.

Mr. Lloyd, from the committee to whom was committed the bill entitled, A further supplement to the act entitled An act concerning roads,

Reported the same, with amendments;

Part of which amendments were agreed to, and the bill ordered to be postponed.

The engrossed bill entitled, An act to amend the judicial system of this state,

Was read a third time, and postponed.

The bill entitled, An act to divorce Matilda Cole from her husband William Cole,

Was read a second time, with the accompanying documents, considered by section, and ordered to be engrossed.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act to vest in the United States of America the jurisdiction over a certain piece of land in the county of Monmouth,

With amendments—

To which amendments they request the concurrence of the House of Assembly;

Which amendments were read, the first agreed to, and the second disagreed to, and the clerk ordered to inform Council accordingly.

The House adjourned to ten o'clock to-morrow morning.

SATURDAY, November 18.

Ten o'clock—the House met.

Mr. Marsh presented the petition of the administrators of Robert C. Thompson, late of the county of Warren, deceased, praying a law to enable them to convey land;

Which petition was read, and committed to Messrs. Marsh, Dodd, and Robertson.

Mr. Chandler presented the petition of Judah E. Lee and wife, of Sussex county, praying that Joseph Edsall, the surviving trustee of the estate of certain heirs of William Vibbert, deceased, may be authorized to execute the trusts specified in the act passed for the relief of said heirs;

Which petition was read, and committed to Messrs. Chandler, Vroom, and Dunham.

Mr. Green submitted the following resolution :

Resolved, That the speaker be empowered to convene the General Assembly at any time during the present session, when any

extraordinary occasion shall, in his opinion, render it necessary; and that he cause public notice to be given of the time of meeting in the newspapers printed in the city of Trenton, in one of the newspapers printed in Morristown, Newark, and Bridgeton, at least two weeks previous to such time; which shall be deemed sufficient notice to the members of the House for their attendance;

Which resolution was read, and ordered to lie on the table.

The bill entitled, A further supplement to the act entitled An act respecting apprentices and servants,

Was read a second time, and postponed.

Mr. McDowell, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act relative to the fire department of the city of New-Brunswick;

Which bill was read, and ordered a second reading.

The House adjourned to ten o'clock on Monday morning.

MONDAY, November 20.

Ten o'clock—the House met.

Mr. Jackson presented the petition of a number of the inhabitants of Morris, Bergen, Sussex, and Essex counties, praying for a law to authorize the raising of \$40,000 by lottery, for the purpose of constructing a free public road from the foot of the inclined plane on the bank of the Morris Canal at Rockaway, in Morris county, through Horseford, Hibernia, Greenpond, Clinton works, &c., till it intersects the New Milford Turnpike near the New-York line—and thence to the Delaware river;

Which petition was read, and committed to Messrs. Jackson, Chandler, and Christie.

Mr. Van Winkle presented the petition of a number of the inhabitants of Bergen county, praying an amendment of the law for the preservation of deer and other game:

Which petition was read, and referred to the committee to whom was committed the resolution on that subject.

Mr. Lloyd, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to incorporate the Howell Furnace Company, in the county of Monmouth;

Which bill was read, and ordered a second reading.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the seat of the vice-president having become vacant, the Council have elected Silas Cook, esquire, member of the Council from the county of Morris, their vice-president.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Clifford presented several petitions from a number of the inhabitants of Hunterdon county, in opposition to the state subscribing to the stock of the Delaware and Raritan Canal, and praying that said canal may not be made of such large dimensions as was contemplated by the act;

Which petitions were read, and referred to the committee on that subject.

Mr. Dunham presented a petition from a number of the inhabitants of Hunterdon county, in favor of the state subscribing to the stock of the Delaware and Raritan Canal;

Which petition was referred to the committee on that subject.

Mr. Lloyd, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act concerning fisheries;

Which bill was read, ordered a second reading, and to be printed.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council do insist on their second amendment to the bill from the House of Assembly entitled, An act to vest in the United States of America the jurisdiction over a certain piece of land in the county of Monmouth, which has been disagreed to by the House of Assembly; and that the Council have appointed Messrs. Newbold and Condit a committee of conference on the part of the Council, on the subject of the said disagreement to said bill, and request the House of Assembly, on their part, to appoint a correspondent committee.

Which message was read: whereupon, on motion, Messrs. Vroom, McDowell, and Dunham were appointed a committee of conference, on the part of the House, to meet the committee of Council; and the clerk was ordered to inform Council accordingly.

Mr. Stites submitted the following resolution:

Resolved, That this House will rise on the day of December ensuing;

Which resolution was read, and ordered to lie on the table.

The bill entitled, An act to incorporate the Passaic and Hackensack Ferry and Road Company,

Was read a second time, progressed in by section, and postponed.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act to incorporate the Convention of the Protestant Episcopal Church in the state of New-Jersey,

Without amendment.

The House adjourned to ten o'clock to-morrow morning.

TUESDAY, November 21.

Ten o'clock—the House met.

Mr. Clifford presented the petition of the heirs of legatees of Richard Ketcham, of Hunterdon county, praying a law to authorize them to sell lands;

Which petition was read, and committed to Messrs. Clifford, Cook, and Seeley.

Mr. Van Winkle, from the committee to whom were referred the petition and resolution on that subject,

Reported a bill entitled, A further supplement to an act entitled An act for the preservation of deer and other game, and to prevent trespassing with guns, passed December 21, 1771;

Which bill was read, ordered a second reading, and to be printed.

Mr. Stryker, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to divorce Ann M. Griffith from her husband William R. Griffith;

Which bill was read, and ordered a second reading.

Mr. Dodd, from the committee on the petition on that subject,

Reported a bill entitled, An act concerning the African Education Society;

Which bill was read, and ordered a second reading.

Mr. Dunham, from the committee to whom was referred No. 18, of unfinished business, a bill concerning free people of color,

Reported the same, without amendment;

Which bill was read, ordered a second reading, and to be printed.

Mr. Vroom, from the committee of the House of Assembly appointed to confer with a committee of Council on the subject of a disagreement of the two Houses, relative to an amendment made by Council to the second section of the bill entitled, An act to vest in the United States of America the jurisdiction over a certain piece of land in the county of Monmouth,

Reported, That, after a free conference on the subject of the disagreement aforesaid, it was agreed, that it be recommended to Council to recede from the said amendment, and to amend the second section so as to read as follows:—"And be it enacted, That all the lands and tenements within the aforesaid boundaries shall, during the continuance of the jurisdiction so ceded to the United States, as aforesaid, be and remain exempted from all taxes, assessments, and other charges, under and by virtue of any present or future law of this state";

Which report was read, and ordered to lie on the table.

The speaker laid before the House the following communication from the treasurer:—

*To the Honorable the Legislative Council and General
Assembly of the State of New-Jersey.*

GENTLEMEN,

By a resolution adopted by your honorable body in the fall of 1824, the subscriber was directed to make inquiry into, and ascertain the state and condition of the Milford and Owego Turnpike road, and report to the next sitting of the legislature. Not having been able to collect any information at the time required, from causes set forth in my report, made at the session of 1825, the legislature again renewed their instructions, in conformity with which, I went to the neighborhood of the said road, in September last, where I had an interview with a Mr. Abraham Bray, he having a considerable interest in the road, from the circumstance of his having made seventeen miles of the same: he was therefore acquainted with its state and condition, as well as the pecuniary situation of the company. From him I collected the following information: that the state of New-Jersey had made an appropriation towards the completion of said road, upon condition that the company should issue to the state scrip for 800 shares of the capital stock. He also states, that the legislature of Pennsylvania made a similar appropriation to the company, for similar purposes, of thirty-one thousand dollars: and that all the moneys so granted by the two states were expended, together with the amount of individual subscription, yet the road was incomplete. The company were therefore obliged to effect a loan of about \$12,000, or abandon the work, and sacrifice what had been expended. They did therefore loan about that sum, which enabled them to complete the road, so far as to authorize the hanging of gates, and requiring tolls for its use. It is now in operation. Its clear annual proceeds amount to about three thousand dollars, after deducting expenses for collecting &c. One half of the proceeds is applied to the extinguishment of the debt due from the company, and the other half to the improvement of the road. The debt is said to be reduced to about eight thousand dollars. Mr. Bray further informs the subscriber, that the road is now considerably out of repair, and he thinks it will soon be necessary for the company to expend the whole amount of receipts, for a few years, for its improvement. Many of the bridges were built of wood; they are all in a state of decay: some have already fallen, and others are now tumbling into ruins: they must all be rebuilt in a short time. Mr. Bray states, that if the company were now out of debt, he thinks it will be many years before a dividend can be declared, unless the travelling greatly increases. The subscriber is also informed, that a company was authorized, a few years ago, to open a communication from Milford, in the state of Pennsylvania, to Deckertown, in the state of New-Jersey, by forming and constructing an artificial road. This is a distance of about thirteen miles, and will be the connecting link of the Milford and Owego Turnpike with the Paterson and Hamburg Turnpike, and the New-Barbadoes Turnpike to Hoboken, opposite the city of New-York. This route is said to

be about twenty miles shorter, from Milford to New-York, than any other route now in use across New-Jersey. If this connecting link should be completed, it is said, that it will bring Owego within a few miles as near the city of New-York as it is now to Newburg, and on ground equally as favorable for a road. At this time, nearly all the surplus produce in the neighborhood of the Milford and Owego Turnpike, which is very abundant, is transported by land to Newburg; it is then about seventy miles from the city of New-York: whereas if this road was opened the surplus produce would, in a great measure change its course, by way of Milford, across the state of New-Jersey, direct to New-York. If this be the case, the capital stock of the Milford and Owego Turnpike road, will, in that event, become, in all probability, a source of profit to the company, and the road a great convenience and benefit to the inhabitants of that large, extensive, and fertile region of country through which it passes.

I am, most respectfully, your obedient humble servant,

CHARLES PARKER.

Trenton, November 17, 1826.

Which communication was read, and ordered to lie on the table.

The bill entitled, A supplement to the act entitled An act to facilitate the intercourse between the states of New-York and Pennsylvania, and this state, passed the 15th February, 1826,

Was read a second time, progressed in by section, and postponed.

The House took up the report of the committee on the statement of the Hoboken Banking and Grazing Company, which report disapproves of the statement made by said company, and recommends the appointment of commissioners to inquire into its affairs, as also those of the Jersey and Franklin Banks: and which report of the committee was agreed to, together with the resolutions embracing a part of the same, and which was ordered to be engrossed and sent to Council for concurrence.

The engrossed bill entitled, An act to divorce Matilda Cole from her husband William Cole,

Was read a third time, and recommitted.

The engrossed bill entitled, An act to amend the judicial system of this state,

Was read and compared.

On the question recurring, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,
Chandler,
Day,
Dickerson,
Dodd,
Drake, sp.,
Dunham,
Earl,

Emley,
Ewing,
French,
Green,
Jackson,
Marsh,
Munson,
Robertson,

Seeley,
Stites,
Stryker,
Toy,
Van Blarcom,
Van Winkle,
Vroom—23.

NAYS.

Messrs. Archer.	Conover,	Kinsey,
Barion.	Cook,	Lake,
Ber.	Dunn,	Lloyd,
Capner.	Foster,	Mott,
Christie.	Freas.	Townsend.
Clifford,	Humphreys,	West—18.

Ordered. That the speaker sign the same.

Ordered. That the clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The bill entitled. An act to authorize Hannah Barcoe to inherit real estate.

Was read a second time, considered by section, and ordered to be engrossed.

The House adjourned to three o'clock in the afternoon.



Three o'clock—the House met.

Mr. Christie presented a petition and remonstrance of certain inhabitants of Bergen county, deprecating the passage of the bill for incorporating the Passaic and Hackensack Ferry and Road Company.

Mr. Dodd also presented a remonstrance from inhabitants of the town of Newark, and another from inhabitants of Essex county generally, in opposition to the passage of the above named bill.

Which remonstrances were read, and together ordered to lie on the table.

Mr. Marsh presented the petition of Peter A. Johnson, of Morristown, in the county of Morris, praying a law authorizing him, by lottery, to sell his stock of books:

Which petition was read, and committed to Messrs. Marsh, Kinsey, and Cook.

Mr. Dunham presented the petition of Joseph W. Vancleve and others, heirs and legatees of John Stilwell, late of Amwell, Hunterdon county, deceased, praying for a law to authorize the sale of real estate:

Which petition was read, and committed to Messrs. Dunham, Dunn, and Dickerson.

Mr. Woodhull presented the petition of a number of the inhabitants of Middletown and Shrewsbury, in Monmouth county, praying for a law authorizing the board of chosen freeholders of said county to build a bridge over the North Neversink river, from lands of James Grover, in the township of Middletown, to lands of Tylee Williams, in the township of Shrewsbury:

Which petition was read, and committed to Messrs. Woodhull, Mott, and French.

Mr. Earl, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to erect the village of New Mills, in the county of Burlington, into a borough, to be called the Borough of Pemberton;

Which bill was read, and ordered a second reading.

Mr. Dunn, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to appoint commissioners to sell and convey real estate, for purposes therein expressed;

Which bill was read, and ordered a second reading.

Mr. McDowell, agreeably to leave given at the last session, presented a bill entitled, A further supplement to an act entitled An act to incorporate a company to erect a turnpike from Bordentown to South-Amboy, passed February 16, 1826;

Which bill was read, and ordered a second reading.

Mr. Mott, from the committee to whom was recommitted the engrossed bill entitled, An act to divorce Matilda Cole from her husband William Cole,

Reported the same, with an amendment;

Which amendment was agreed to, and the bill, as amended, ordered to be again engrossed.

Mr. Mott, from the committee to whom was referred the bill from Council entitled, Additional supplement to the act entitled An act constituting courts for the trial of small causes,

Reported the same, without amendment;

Which bill was read a second time, considered by section, and postponed.

The House resumed the consideration of the bill entitled, An act to authorize Elizabeth Bellis, William M. Bellis, and Ralph M. Bellis, administrators of Matthias Bellis, deceased, to convey certain real estate to William W. Bellis;

Which was gone through by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act to incorporate the Bergen county Insurance Company;

Which was gone through by section, and postponed.

The House adjourned to ten o'clock to-morrow morning.

WEDNESDAY, November 22.

Ten o'clock—the House met.

Mr. McDowell presented the petition of Mary Ann Patrick, of Perth-Amboy, praying a law to vest in her a title to certain real estate;

Which petition was read, and committed to Messrs. McDowell, Armstrong, and Townsend.

Mr. Ewing presented the petition of Asahel Langworthy and others, praying a law to incorporate a company for the purpose of constructing a canal along the banks of the Delaware river, or the improvement of the channel of the river from or near Easton, in the state of Pennsylvania, to Carpenter's Point or the north-west angle of this state;

Which petition was read, and committed to Messrs. Ewing, Green, and Robertson.

Mr. Toy presented the petition of the managers of the Barrick Bank Company, of Burlington county, praying the passage of a supplement to their act of incorporation, for the confirmation of the corporate name and other purposes;

Which petition was read, and committed to Messrs. Toy, Lake, and Ewing.

Mr. Stites presented the petition of the stockholders, proprietors of the bridges over the rivers Passaic and Hackensack, praying, for reasons set forth, that the bill to incorporate the Passaic and Hackensack Ferry and Road Company may not pass;

Which petition was read, and ordered to lie on the table.

Mr. Dunham, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act authorizing George W. Smith, administrator of all and singular the goods and chattels, rights and credits, which were of John Stilwell, deceased, with the last will and testament of the said John Stilwell annexed, to sell and convey real estate;

Which bill was read, and ordered a second reading.

Mr. French, from the committee to whom was referred the petition of Benjamin Tomlinson, praying for a supplement to An act to improve the navigation of Great Timber Creek, in the county of Gloucester,

Reported, That the committee deem it inexpedient that the prayer of the said petitioner should be granted;

Which report was read, and agreed to.

Mr. Winkle, from the committee to whom was referred the petition of John C. and R. L. Stevens, for the regulation of a course for the trials of speed on the island of Hoboken,

Reported, That they have had the same under consideration, and are of opinion that there is abundant room for improvement, not only in the breed of horses, but also in the conduct, manners, and morals of those who are in the habit of attending horse races, as they exist at present in the state of New-Jersey. They do not believe trials of speed, properly regulated, to be necessarily connected with vice and immorality. The state of New-York, after an experience of five years of the advantages and disadvantages of a regulated course, have, from a conviction of its utility, extended the privilege for the further term of ten years from the 1st March next.—

From the total prohibition of trials of speed in this state, the citizens of New-Jersey who may wish to breed, and make trial of their blooded horses, are obliged to resort to the course at Long-Island; so that New-York receives not only such benefits as may result from an improvement in the breed of horses, but her citizens also receive the large sums expended by the numbers that attend such regulated meetings from all parts of the Union. In order that the citizens of New-Jersey may participate in these advantages, and in order to give to the farmers and others who may be induced to breed blooded horses an opportunity of ascertaining their value, by trying their speed and endurance, without being obliged either to go to an adjoining state, or to break the laws of their own, and to witness such dangerous scenes of riot and confusion as occur at the frequent and open violation of the law against racing, in every county of the state, the committee request permission to recommend the bill entitled, An act to amend an act entitled An act to prevent horse racing, passed February 15, 1811;

Which bill was read, and ordered a second reading.

The report of the committee of conference on the subject of the disagreement of the two Houses, relative to an amendment made by Council to the second section of the bill from the House entitled, An act to vest in the United States of America the jurisdiction over a certain piece of land in the county of Monmouth,

Was called up, and agreed to.

The House resumed the consideration of the bill entitled, An act to incorporate the Bergen county Insurance Company;

Which was ordered to be engrossed.

The bill entitled, A further supplement to the act entitled An act concerning roads, reported by the committee, with amendments,

Was called up, the amendments agreed to, the bill read a second time, gone through by section, and ordered to be engrossed.

The bill entitled, An act relative to insurance companies,

Was read a second time, progressed in by section, and postponed.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the resolution of the joint-committee relative to the New-Jersey Delaware Oyster Company,

Without amendment.

And the message also informed, that the Council have passed a bill entitled, An act to authorize Samuel Richards to construct a breakwater in the bay of Delaware—

To which bill they request the concurrence of the House of Assembly;

Which bill was read, and ordered a second reading.

The message further informed, that the bond of the treasurer, which has met the approbation of the Council, is herewith delivered for the examination and approbation of the House of Assembly;

Which bond was read, and approved by the House, and the clerk ordered to inform Council accordingly.

And the message still further informed, that the Council have

agreed to the report of the committee of conference, receded from their amendment to the second section of the bill from the House of Assembly entitled, An act to vest in the United States of America the jurisdiction over a certain piece of land in the county of Monmouth, and have agreed to the said second section, as reported by said committee of conference ;

Whereupon the House took up the said bill, agreed to the amendment made by Council, and ordered the said bill to be re-engrossed.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Bee presented a petition from a number of the inhabitants of the town of Camden and vicinity, in Gloucester county, praying that the said town of Camden may be incorporated ;

Which petition was read, and committed to Messrs. Bee, Archer, and Mott.

Mr. Cook presented the petition of Oliver Wayne Ogden, of Perth-Amboy, for himself and others, tenants of the state of New-Jersey of certain lots planted with oysters in the bay of Amboy, praying to be incorporated, and for other purposes ;

Which petition was read, and committed to Messrs. Cook, Dodd, and Stryker.

Mr. Chandler, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, A supplement to the act entitled An act for the relief of the heirs of William Vibbert, deceased, and others ;

Which bill was read, and ordered a second reading.

Mr. French, from the committee to whom was referred No. 30, of unfinished business, being the report of a committee on a petition from inhabitants of Gloucester county, praying a law to authorize the erection of a draw in the bridge over Great Mantua Creek,

Reported, That the said applicants have not fulfilled the conditions prescribed in said report, and the committee therefore recommend that they have leave to withdraw their papers ;

Which report was read, and agreed to.

The bill entitled, An act to divorce Ann M. Griffith from her husband William R. Griffith.

Was read a second time, with the accompanying documents, gone through by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, A supplement to the act entitled An act to facilitate the intercourse between the states of New-York and Pennsylvania, and this state, passed the 15th February, 1816 ;

Which was gone through by section, and ordered to be engrossed.

The engrossed bill entitled, An act to divorce Matilda Cole from her husband William Cole,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,	Day,	Mott,
Barton,	Dunn,	McDowell,
Bee,	Earl,	Robertson,
Capner,	Emley,	Seeley,
Chandler,	Ewing,	Stites,
Christie,	Foster,	Stryker,
Clifford,	Freas,	Townsend,
Conover,	Lloyd,	Toy,
Cook,	Marsh,	West—27.

NAYS.

Messrs. Armstrong,	Green,	Van Blarcom,
Drake, sp.,	Humphreys,	Van Winkle,
Dunham,	Lake,	Vroom,
French,	Munson,	Woodhull—12.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to authorize Elizabeth Bellis, William M. Bellis, and Ralph M. Bellis, administrators of Matthias Bellis, deceased, to convey certain real estate to William W. Bellis,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,	Dunn,	Munson,
Barton,	Earl,	McDowell,
Bee,	Emley,	Robertson,
Capner,	Ewing,	Seeley,
Chandler,	Foster,	Stites,
Christie,	Freas,	Stryker,
Clifford,	French,	Townsend,
Conover,	Green,	Toy,
Cook,	Humphreys,	Van Blarcom,
Day,	Lloyd,	Van Winkle,
Dickerson,	Marsh,	West,
Drake, sp.,	Mott,	Woodhull—37.
Dunham,		

NAYS.

Messrs. Archer,	Lake,	Vroom—3.
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Ordered, That the speaker sign the same.

Ordered. That the clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to ten o'clock to-morrow morning.

THURSDAY, November 23.

Ten o'clock—the House met.

Mr. Kinsey presented the petition of the holders of the bank bills of the New-Jersey Protection and Lombard Bank, praying, for reasons set forth in their petition, the restoration of the charter of said bank :

Which petition was read, and referred to the committee on that subject.

Mr. Green presented the Somerset county abstract of ratables, Which was ordered to lie on the table.

Mr. Toy, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, A supplement to an act entitled An act to enable the owners and possessors of meadows and tide marsh lying on Assiscunk creek, within the limits of the city of Burlington, to erect and maintain a dam and other works across the said creek, in order to prevent the tide from overflowing the same, and to run a fence across a certain lane, called Pudding Lane, in the city of Burlington, passed June 22, 1782 :

Which bill was read, and ordered a second reading.

Mr. McDowell, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act respecting the real estate of John Patrick, deceased :

Which bill was read, and ordered a second reading.

Mr. Clifford, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to authorize Cornelius Skillman and William Golden to sell certain real estate :

Which bill was read, and ordered a second reading.

Mr. Ewing, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to incorporate the President, Managers, and Company of the Navigation and Canal Company :

Which bill was read, and ordered a second reading.

Mr. Day, with leave, presented a bill entitled, A further supplement to the act entitled An act concerning landlords and tenants, passed the 10th day of March, 1795 :

Which bill was read, ordered a second reading, and to be printed.

The House resumed the consideration of a bill entitled, An act to authorize John Oothout, administrator of the goods and chattels, rights and credits, of John Oothout the elder, deceased, to convey and assure to Mary Lupp, during her life, with remainder in fee to Peter Lupp, a house and lot of land in the city of New-Brunswick, and county of Somerset;

Which was gone through by section, and ordered to be engrossed.

The bill entitled, An act authorizing John Uron, Philip Pew, and others to embank a tract of meadow in the county of Gloucester,

Was read a second time, and postponed.

The bill from Council entitled, An act to authorize Samuel Richards to construct a breakwater in the bay of Delaware,

Was read a second time, gone through by section, and ordered a third reading.

On motion of Mr. Kinsey, the clerk was ordered to inform Council of the appointment of the committee of this House, to whom were referred the petitions and memorials of the directors and stockholders, and also the bill holders, of the New-Jersey Protection and Lombard Bank, and request Council to appoint a correspondent committee.

The re-engrossed bill entitled, An act to vest in the United States of America the jurisdiction over a certain piece of land in the county of Monmouth,

Was read and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that the amendments made thereto by Council have been agreed to by this House, and that they have caused said bill to be re-engrossed.

The engrossed bill entitled, An act to divorce Ann M. Griffith from her husband William R. Griffith,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Armstrong,
Barton,
Bee,
Capner,
Chandler,
Christie,
Clifford,
Conover,
Cook,
Dickerson,

Dunn,
Earl,
Emley,
Ewing,
Foster,
Freas,
French,
Humphreys,
Jackson,
Kinsey,
Lloyd,

Marsh,
Mott,
Munson,
McDowell,
Robertson,
Seeley,
Stryker,
Townsend,
Toy,
Van Blarcom,
West—53.

NAYS.

Messrs. Day,	Dunham,	Lake,
Drake, sp.,	Green,	Vroom—6.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The engrossed bill entitled, A supplement to the act entitled An act to facilitate the intercourse between the states of New-York and Pennsylvania, and this state, passed the 15th February, 1816,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows :

YEAS.

Messrs. Archer,	Dunn,	Munson,
Armstrong,	Earl,	Stryker,
Chandler,	Foster,	Toy,
Christie,	Jackson,	Van Blarcom,
Cook,	Kinsey,	Van Winkle,
Dickerson,	Lloyd,	West,
Dodd,	Marsh,	Woodhull--21.

NAYS.

Messrs. Barton,	Emley,	Mott,
Bee,	Ewing,	McDowell,
Capner,	Freas,	Robertson,
Clifford,	French,	Seeley,
Conover,	Green,	Stites,
Day,	Humphreys,	Townsend,
Drake, sp.,	Lake,	Vroom--22.
Dunham,		

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Clifford presented the petition of Cornelius Rulofson, of Hunterdon county, praying to be divorced from his wife Mary;

Which petition was read, and committed to Messrs. Clifford, Cook, and Christie.

Mr. Lloyd presented the petition of a number of the inhabitants of the townships of Howell and Shrewsbury, in Monmouth county, praying an extension of the time within which oysters are prohibited from being taken, to the first of October in each year;

Which petition was read, and committed to Messrs. Lloyd, Lake, and Foster.

Mr. Freas presented the memorial of a number of the inhabitants of the town of Salem, remonstrating against its incorporation ;

Which memorial was read, and referred to the committee on that subject.

Mr. Cook presented the petition of a number of the inhabitants of New-Brunswick, praying the incorporation of an insurance company, to be located in that city ;

Which petition was read, and committed to Messrs. Cook, Vroom, and Armstrong.

Mr. Green, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act for the relief of John N. Simpson ; Which bill was read, and ordered a second reading.

Mr. Marsh, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to permit and authorize Peter A. Johnson to dispose of his stock of books by lottery ;

Which bill was read, and ordered a second reading.

Mr. Cook, from the committee on that subject,

Reported a bill entitled, An act to incorporate certain tenants holding oyster lots under this state upon rent ;

Which bill was read, and ordered a second reading.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed a bill entitled, An act respecting the will of Samuel Bridge, deceased—

To which bill they request the concurrence of the House of Assembly :

Which bill was read, and ordered a second reading.

And the message also informed, that the Council have passed a preamble and resolution relative to certain moneys in the hands of Abiah Wilson, esq., authorizing the attorney-general to collect the same—

To which preamble and resolution they request the concurrence of the House of Assembly ;

Which preamble and resolution were read, and ordered to lie on the table.

The bill entitled, An act for the encouragement of literature,

Was read a second time, considered by section, and, on the question of engrossing the same, the yeas and nays being required, were as follow :

YEAS.

Messrs. Archer,
Armstrong,
Chandler,
Christie,
Cook.

Dickerson,
Dodd,
Drake, sp.,
Dunham,
Dunn.

Foster,
Green,
Kinsey,
Marsh,
Munson,

McDowell,
Stites,
Stryker,

Van Blarcom,
Van Winkle,

Vroom,
Woodhull--22.

NAYS.

Messrs. Barton,
Bee,
Capner,
Clifford,
Conover,
Day,

Emley,
Ewing,
Freas,
French,
Humphreys,
Lake,

Lloyd,
Mott,
Robertson,
Seeley,
Toy,
West—18.

So the said bill was ordered to be engrossed.

On motion, by Mr. Vroom, to reconsider the vote on the bill entitled. A supplement to the act entitled An act to facilitate the intercourse between the states of New-York and Pennsylvania, and this state, passed the 15th February, 1816,

The yeas and nays, being required, were as follow :

YEAS.

Messrs. Armstrong,
Barton,
Chandler,
Christie,
Clifford,
Cook,
Day,
Dickerson,
Dodd,
Drake, sp.,
Dunham,

Dunn,
Foster,
Freas,
French,
Green,
Kinsey,
Lloyd,
Marsh,
Mott,
Munson,

McDowell,
Stites,
Stryker,
Townsend,
Toy,
Van Blarcom,
Van Winkle,
Vroom,
West,
Woodhull--31.

NAYS.

Messrs. Archer,
Bee,
Conover,

Emley,
Ewing,
Humphreys,

Lake,
Robertson,
Seeley—9.

So the vote on the above named bill was reconsidered, and, on motion of Mr. Kinsey, the same was recommitted.

The House adjourned to ten o'clock to-morrow morning.

FRIDAY, November 24.

Ten o'clock—the House met.

Mr. Kinsey presented the petition of H. H. Van Dalsem and others, praying to be incorporated under the name and style of the New-Jersey and Schuylkill Coal Company, for the purpose of mining in New-Jersey and elsewhere ;

Which petition was read, and committed to Messrs. Kinsey, Ewing, and Archer.

Mr. French presented the remonstrance of a number of the owners and possessors of meadow on Newton creek, in Gloucester county, opposing the alteration of the law authorizing the embankment and damming of the same :

Which remonstrance was read, and referred to the committee on that subject.

Mr. Cook, from the military committee,

Reported a bill entitled, A supplement to an act entitled An act to establish an independent regiment of horse artillery, passed December 5, 1823 :

Which bill was read, ordered a second reading, and to be printed.

Mr. Robertson, with leave, presented a bill entitled, An act to alter the time of the regimental musters of the Warren brigade.

Which bill was read, ordered a second reading, and to be printed.

The bill entitled, An act to divorce Abigail H. Pearsall from her husband Peter P. Pearsall,

Was read a second time, considered by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act authorizing John Uron, Philip Pew, and others to embank a tract of meadow in the county of Gloucester :

Which was gone through with by section, and ordered to be engrossed.

The bill entitled, A supplement to the act entitled An act concerning forcible entries and detainers, passed the 2d March, 1798,

Was read a second time, and postponed.

The resolution from Council, relative to certain moneys in the hands of Abiah Wilson, esq.,

Was read a second time, and postponed.

The bill from Council entitled, An act to authorize Samuel Richards to construct a breakwater in the bay of Delaware,

Was read a third time.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

Ordered, That the clerk inform Council that the House have passed said bill.

Without amendment.

The House took up the report of the committee of the House of Assembly on the subject of the correspondence between Governor Clinton, of New-York, and Governor Williamson, of New-Jersey, touching the arrest of a ministerial officer of New-York, &c. :

Which report was read, and agreed to :

Whereupon Mr. Green presented a bill, in conformity with said report, entitled, An act to revive an act entitled An act for the settlement of territorial limits and jurisdiction between the states of New-Jersey and New-York, passed December 10, 1824 ;

Which bill was read, ordered a second reading, and to be printed.
Mr. Green also presented the following resolution:

Resolved, That his Excellency the Governor of this state be requested to instruct the prosecutor of the pleas for the county of Middlesex to continue the recognizance of Joshua Mercerau, a deputy sheriff of Richmond county, till the next June term of Oyer and Terminer for the county of Middlesex, and till such subsequent term of that court as his excellency may consider expedient, and for the public interest:

Which resolution was read, and ordered to lie on the table.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Green presented the petition of Joshua Forman, praying that himself and his associates may be incorporated for the purpose of working a copper mine at Woodbridge, Middlesex county, and others, that they may purchase in this state:

Which petition was read, and committed to Messrs. Green, Stites, and Woodhull.

Mr. Marsh, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to authorize Maria Thompson, administratrix, and Mark Thompson, administrator, of Robert C. Thompson, late of the county of Warren, deceased, to convey certain real estate to Jacob Peuce, Frederick Lance, Jacob Swackhammer, Abraham Castner, and Peter Baylor: and also to sell and convey other lands of the said Robert C. Thompson, deceased, for the payment of his debts:

Which bill was read, and ordered a second reading.

Mr. Marsh, with leave, presented a bill entitled, An act to incorporate the Dover Manufacturing Company:

Which bill was read, and ordered a second reading.

Mr. Archer submitted the following resolution:

Resolved, That a committee be appointed to inquire into the present state of the free-school fund: whether any, and if any, what alterations or additions are necessary in order to increase the same, and report thereon:

Which resolution was read, agreed to, and Messrs. Archer, Toy, and Green accordingly appointed.

The bill from Council entitled, An act respecting the will of Samuel Bridge, deceased,

Was read a second time, gone through with by section, and ordered a third reading.

The House took up the resolution, submitted by Mr. Capner on the 8th instant, relative to several unavailable balances in the books of the treasurer;

Which was, on motion, withdrawn:

Whereupon Mr. Capner submitted the following preamble and resolutions, as a substitute:

Whereas the State Bank at Trenton have suspended banking operations, and appear, from the account of the treasurer, to be indebted to the state, for tax, the sum of \$162: *And whereas* it appears reasonable that the said tax should be remitted, and that no further tax should be demanded by the state, so long as the said bank suspends its operations—Therefore

Resolved, That the treasurer be directed to cancel the said charge of \$162 against said bank, in his last account; and also, that the treasurer be directed not to charge the said bank with any tax, so long as the said bank suspend their operations.

Resolved, That the treasurer of this state be directed not to carry to his next account the balance of \$6132.02, standing against Peter Gordon, late treasurer:—and also

Resolved, That he be directed to balance the charge of \$7.49 against the collector of Middlesex, for oyster rents;

Which preamble and resolutions were agreed to.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the resolution from the House of Assembly, appointing Messrs. Parker, Vanderpool, and Whitehead commissioners, to examine into, investigate, and report, to the legislature of this state, the affairs of the Hoboken Banking and Grazing Company, also those of the Jersey Bank and the Franklin Bank of New-Jersey,

Without amendment.

And that the Council have appointed Messrs. Clawson and Polhemus a correspondent committee, on their part, to meet the committee of the House of Assembly, to whom has been committed the memorials of the stockholders, directors, and bill holders of the New-Jersey Protection and Lombard Bank.

And that Council had passed a bill entitled, An act to provide for the more equal and just representation of the several counties of this state in the General Assembly,

To which bill they request the concurrence of the House of Assembly;

Which bill was read, and ordered a second reading.

The engrossed bill entitled, An act to authorize John Oothout, administrator of the goods and chattels, rights and credits, of John Oothout the elder, deceased, to convey and assure to Mary Lupp, during her life, with remainder in fee to Peter Lupp, a house and lot of land in the city of New-Brunswick, and county of Somerset,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

The engrossed bill entitled, A further supplement to the act entitled An act concerning roads,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,	Dunn,	Mott,
Armstrong,	Earl,	Manson.
Barton,	Emley,	Townsend,
Bee,	Freas,	Toy,
Capner,	Humphreys,	Van Blarcom,
Clifford,	Lake,	West,
Conover,	Lloyd,	Woodhull--22.
Cook,		

NAYS.

Messrs. Day,	French,	Robertson,
Drake,	Green,	Secley,
Dunham,	Kinsey,	Stryker,
Ewing,	McDowell,	Van Winkle,
Foster,		[13.

Ordered. That the speaker sign the same.

Ordered. That the clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The bill entitled, An act to authorize Rebecca Snowhill, widow of George Snowhill, deceased, to make sale of certain real estate,

Was read a second time, progressed in by section, and postponed.

The House adjourned to ten o'clock on Monday morning.

MONDAY, November 27.

Ten o'clock—the House met.

Mr. Clifford presented the petition of the inhabitants of the city of Trenton, praying such an alteration in their act of incorporation as will vest in a Council, to be elected by the citizens at large, yearly, the power of making all laws for the regulation and government of the city:

Which petition was read, and committed to Messrs. Clifford, Dunn, and Van Winkle.

Mr. Emley presented the petition of Elizabeth Ivins, of Chesterfield, Burlington county, for a divorce from her husband Isaac Ivins, jun.:

Which petition was read, and committed to Messrs. Emley, Bee, and West.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Cook presented a petition from a number of the inhabitants of Rahway and its vicinity, praying the passage of a law to authorize the establishment of a bank at that place;

Which petition was read, and committed to Messrs. Cook, Day, and Armstrong.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed a bill entitled, An act to incorporate the Woodbury Fire Association, and a bill entitled, A supplement to the act entitled An act to incorporate the Newark Mutual Fire Assurance Company, passed the 4th November, 1811,

To which bills they request the concurrence of the House of Assembly;

Which bills were severally read, and ordered second readings.

The bill entitled, An act to alter the time of the regimental musters of the Warren brigade,

Was read a second time, considered by section, and ordered to be engrossed.

The bill entitled, An act relative to the Fire Department in the city of New-Brunswick,

Was read a second time, progressed in by section, and postponed.

The bill entitled, An act to repeal part of the act concerning roads, passed February 9, 1818,

Was called up, read, and dismissed.

The bill entitled, An act to permit and authorize Peter A. Johnson to dispose of his stock of books by lottery,

Was read a second time, and postponed.

The bill from Council entitled, An act respecting the last will and testament of Samnel Bridge, deceased,

Was read a third time,

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

Ordered, That the clerk inform Council, that the House have passed said bill,

Without amendment.

The bill entitled, An act to revive an act entitled An act for the settlement of territorial limits and jurisdiction between the states of New-Jersey and New-York, passed December the 10th, 1824,

Was read a second time, progressed in, and postponed.

Mr. Green, with leave, presented a bill entitled, An act concerning banking corporations or bodies politic;

Which bill was read, ordered a second reading, and to be printed.

The House adjourned to ten o'clock to-morrow morning.

TUESDAY, November 28.

Ten o'clock—the House met.

Mr. Green, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to incorporate the Franklin Copper Mining Company;

Which bill was read, and ordered a second reading.

The resolution submitted by Mr. Ewing, on the 9th instant, for limiting the elections in this state to one day,

Was called up, read, and disagreed to.

The bill entitled, A supplement to an act to enable the owners and possessors of meadows and tide marsh lying on Assiscunk creek, within the limits of the city of Burlington, to erect and maintain a dam and other waterworks across the said creek, in order to prevent the tide from overflowing the same, and to run a fence across a certain lane, called Pudding Lane, in the city of Burlington, passed June 22, 1782,

Was read a second time, progressed in, and postponed.

The bill entitled, An act concerning the African Education Society,

Was read a second time, considered by section, and ordered to be engrossed.

The engrossed bill entitled, An act authorizing John Uron, Philip Pew, and others, to embank a tract of meadow in the county of Gloucester,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to alter the time of the regimental musters of the Warren brigade,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The bill from Council entitled, A supplement to the act entitled An act to incorporate the Newark Mutual Fire Assurance Company, passed the 4th day of March, 1811,

Was read a second time, amended, gone through by section, and ordered a third reading.

The bill from Council entitled, An act to incorporate the Woodbury Fire Association.

Was read a second time, and postponed.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Woodhull, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to authorize the chosen freeholders in the county of Monmouth to build a bridge over the North Branch of Neversink river;

Which bill was read, and ordered a second reading.

Mr. Kinsey, from the committee to whom was recommitted the bill entitled, An act to authorize Hannah Barcoe to inherit real estate,

Reported the same, with amendments;

Which amendments were read, agreed to, and the bill, as amended, ordered to be again engrossed.

Mr. Kinsey, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to incorporate the New-Jersey and Schuylkill Coal Company;

Which bill was read, and ordered a second reading.

Mr. Van Blarcom, with leave, presented a bill entitled, An act for the relief of fire companies;

Which bill was read, ordered a second reading, and to be printed.

The bill entitled, An act authorizing George W. Smith, administrator of all and singular the goods and chattels, rights and credits, which were of John Stilwell, deceased, with the last will and testament of the said John Stilwell annexed, to sell and convey real estate,

Was read a second time, considered by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act to revive an act entitled An act for the settlement of territorial limits and jurisdiction between the states of New-Jersey and New-York, passed December 10, 1824;

Which was gone through by section, the title so amended as to read, An act to revive and extend certain provisions of an act entitled An act for the settlement of territorial limits and jurisdiction between the states of New-Jersey and New-York, passed December 10, 1824; and thus amended ordered to be engrossed.

The House resumed the consideration of the bill entitled, A further supplement to the act entitled An act respecting apprentices and servants;

The first section of which was disagreed to, and the bill dismissed.

The bill entitled, An act respecting the real estate of John Patrick, deceased,

Was read a second time, with the accompanying documents, gone through by section, and ordered to be engrossed.

The House adjourned to ten o'clock to-morrow morning.

WEDNESDAY, November 29.

Ten o'clock—the House met.

Mr. Christie presented the petition of Garrabrant Van Riper and others, of Bergen and Essex counties, praying the passage of a law to authorize the erection of a dam over the Passaic river, about two miles above the town of Paterson;

Which petition was read, and committed to Messrs. Christie, Cook, and Barton.

Mr. Earl presented the petition of Abel Haines and others, children and heirs of Joseph and Mary Moore, deceased, praying the passage of a law to make valid and effectual a certain deed, given by Mary Moore to John Evans, she, the said Mary, the grantor, having died previous to the acknowledgment thereof;

Which petition was read, and committed to Messrs. Earl, Dodd, and Ewing.

Mr. Van Blarcom presented the petition of the inhabitants of the town of Paterson, praying that cotton mills may be exempted from taxation;

Which petition was read, and committed to Messrs. Van Blarcom, Kinsey, and Archer.

Mr. Vroom, from the joint-committee to whom were referred the memorial of the Delaware and Raritan Canal Company, praying a return of the bonus of one hundred thousand dollars paid to the treasurer of the state of New-Jersey by said company; and also the petitions of sundry inhabitants of the state of New-Jersey, praying that the state may subscribe to the capital stock of said company, and that measures may be adopted for the completion of the canal,

Reported, That it appears to the committee, that on the thirtieth of December, one thousand eight hundred and twenty-four, an act was passed by the legislature of the state of New-Jersey, incorporating the Delaware and Raritan Canal Company, with a capital of eight hundred thousand dollars, and with power to increase the same, if necessary, to any amount, not exceeding one million of dollars. This act authorized the company to construct a canal from the river Delaware to the river Raritan, and to take from the river Delaware, by means of a feeder, water sufficient to supply the said canal. In the act it was provided that the said company should obtain the assent of the state of Pennsylvania, to the taking the waters of the Delaware for the purposes of the canal and feeder; and that if such assent should not be obtained by the first day of June, one thousand eight hundred and twenty-six, the act of incorporation should be void.

The state reserved to herself one quarter part of the capital stock of the company, "until the last day of the session of the legislature of this state," succeeding the time when the said company

should obtain the assent of the legislature of Pennsylvania to the waters of the Delaware river, and made it optional with the legislature of New-Jersey, to accept, at such session, of the said one-fourth part of the capital stock, or any portion thereof, for the benefit of the state. In part consideration of this grant, the said company were bound by the act to pay into the treasury of the state of New-Jersey, the sum of one hundred thousand dollars, within ninety days after the consent of the state of Pennsylvania should be obtained. Application was shortly after made by the company to the legislature of Pennsylvania, for the necessary assent to carry into effect the provisions of their charter; and upon such application, the legislature of Pennsylvania passed her act of the day of March, one thousand eight hundred and twenty-five.

Within ninety days after the passing of this act, viz. on the twenty-fourth day of June, eighteen hundred and twenty-five, the company paid to Charles Parker, esq., treasurer of the state, the sum of one hundred thousand dollars, and obtained his receipt. The legislature of New-Jersey, at their next session, in the fall of eighteen hundred and twenty-five, refused to recognize this sum thus paid to the treasurer, as the property of the state, and declared that the assent of Pennsylvania had not been obtained; and that the legislature was not at that time bound to declare its intentions with respect to the acceptance of the reserved stock. Application was again made by the company to the state of Pennsylvania, for the assent required by the charter; and on the twenty-eighth day of March, one thousand eight hundred and twenty-six, the legislature of that state passed another act on this subject, entitled "An act to declare the consent of the legislature of the commonwealth of Pennsylvania, to use the waters of the river Delaware, for the purposes therein mentioned." This act repealed the former law of eighteen hundred and twenty-five, and is appended to this report.

The Delaware and Raritan Company now contend, that this act of Pennsylvania does not give to the company the assent contemplated by the charter; that some of its provisions are burthensome and oppressive; some inconsistent with the terms of the charter, and impossible to be complied with, and others derogatory to the honor and dignity of the state of New-Jersey. They further contend, that inasmuch as the consent of Pennsylvania has not been obtained, within the time limited by the charter, that the grant is void by its own terms: and therefore they pray that the state may direct their treasurer to return to them the sum so paid as aforesaid, with the interest, if any, that may have accrued thereon. On the other hand, numerous petitions have been presented from different parts of the country, praying that the state may elect to accept the reserved stock of the company, and that measures may be taken for the progress and completion of the canal.

In considering these conflicting opinions and interests, your committee were led to inquire, in the first place, into the propriety

of an acceptance at this time, on the part of the state of New-Jersey, of the stock reserved for its use by the charter of the company. And upon this subject, they are of opinion that such acceptance, under the existing law of Pennsylvania, would not comport with the interest or integrity of the state. The rights claimed by Pennsylvania to repeal her act, and annul the privileges granted by it on the happening of certain contingencies, and to regulate the rate of tolls on the feeder and canal, cannot be acceded to. New Jersey will never recognize, even by implication, the claim of another state virtually to repeal her laws, and legislate within her territory. Should she become a subscriber to the capital stock of the company, she must, in like manner with others, become subject to the terms imposed by Pennsylvania. And should New-Jersey at a future day become the owner of the canal, as was originally contemplated by the act of incorporation, she would still remain bound by the terms of the contract; and of course subject to the requisitions of a powerful neighbor.

New-Jersey, as an independent sovereignty, has an undoubted right to take for her own exclusive purposes from the river Delaware, as much water as she may require: provided the navigation of the river is not thereby seriously injured. This right, with its corresponding limitation, grows out of the situation of the two states, the river Delaware being their common boundary. New-Jersey has not on her part sought to extend that right. The enactment of Pennsylvania virtually denies, and actually impairs it; and to this the state of New-Jersey can in no wise assent.

Without further remark on this branch of the matter submitted, your committee beg leave to state, that in investigating the rights and duties of the Delaware and Raritan Canal Company under their charter, taken in connexion with the existing law of Pennsylvania, it became necessary to inquire, whether by that law the legislature of Pennsylvania had given their assent to the use of the waters of the Delaware, in such manner as to enable them to prosecute their undertaking, within the terms of their charter. The committee fully believe that the company, in their endeavors to procure the assent of Pennsylvania, acted in good faith. The agents to whom this delicate negotiation was intrusted, were men of acknowledged talent, eminently qualified for the task; and their high character leaves no room to question their sincerity or zeal. They obtained the best terms that could be procured. Without expressing any opinion on the right of Pennsylvania to annex terms to her assent to the use of the waters of the Delaware, so far as the company alone are concerned, the committee are constrained to say, that from the best view they have been able to take of the subject, they believe that the law of Pennsylvania contains restrictions and conditions, some of which are oppressive, and others inconsistent with the terms of the grant which the company have received from the state of New-Jersey. They cannot progress in their work without legislative aid. Their charter must be materially altered, or they cannot meet the requirements of the Pennsylvania law. Terms have

been imposed, on which depend the existence of their chartered rights; and yet a compliance with these terms is made to depend, not on the will and consent of the company, but on the will and consent of a future legislature of the state of New-Jersey, acting upon an application of the state of Pennsylvania; which application if granted, may be highly injurious to the interest of the company, and if refused may involve them in utter ruin. Such a state of things could not have been contemplated either by the company or the state.

Your committee, after a patient bearing and investigation, have arrived at the conclusion, that the assent of Pennsylvania has not been obtained, in the manner intended by the act of incorporation; and that as the time limited for obtaining that assent is passed, the said act has become void by its own provision.

They are further of the opinion, that, the payment by the company, to the treasurer of the state, under the first law of Pennsylvania, was made as a measure of safety, and out of abundant caution. The sum paid has never been distinctly recognized as the property of the state, and in the judgment of the committee, it ought not now to be retained.

They therefore recommend the adoption of the following resolution:

Resolved, by the Council and General Assembly of this state, That the treasurer of this state be authorized to pay to the said Delaware and Raritan Canal Company, or their lawfully authorized agents, the said sum of one hundred thousand dollars, received by him from the said company, on the twenty-fourth day of June, one thousand eight hundred and twenty-five, together with the interest, if any, that may have accrued thereon.

COMMONWEALTH OF PENNSYLVANIA.

An act to declare the consent of the legislature of the commonwealth of Pennsylvania to use the waters of the river Delaware, for the purposes therein mentioned.

Sec. 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That it shall and may be lawful for the Delaware and Raritan Canal Company, incorporated under and by virtue of the said act of the legislature of the state of New-Jersey, entitled, An act to incorporate the Delaware and Raritan Canal Company, passed December thirtieth, one thousand eight hundred and twenty-four, to use the waters of the river Delaware to supply with water, from any part of the river Delaware, a canal from the waters of the river Delaware to the waters of the river Raritan, to be constructed by the said company under the said act, and also to make, erect, and form all such locks, devices, and other works as may be necessary or convenient to complete the said artificial navigation, without obstructing or other

wise injuring the ascending or descending navigation of the river Delaware: *Provided always*—

1st. That the waters shall be taken from the river Delaware by means of a feeder, to be so constructed as to form a navigable canal, at least forty feet wide at the surface, and five feet deep throughout, which shall commence on the river Delaware, within ten miles of the mouth of the river Lehigh, and throughout its whole course shall be located within one mile of the river Delaware, and shall unite with the Delaware and Raritan Canal within the bounds of the city of Trenton, and not more than two miles and a half from the tide waters of the river Delaware, by the course of the main canal, so as to facilitate as much as possible the communication between the upper and lower waters thereof; and the locks of the feeder shall not be less than eighty feet in length, and ten feet wide between the hollow quoins, and the feeder shall be connected with the river Delaware by lock or locks of similar dimensions, below the New-Hope Delaware Bridge, and within one half mile thereof.

2d. That the said canal from the waters of the river Delaware to the waters of the river Raritan, to be thus supplied with water, shall be at least sixty feet wide at the surface, and eight feet deep throughout; and the locks on the said canal shall not be less than one hundred feet in length, measured between the hollow quoins, and twenty-two feet in width at bottom, and between the hollow quoins; and that no side cut, or lateral branch of the said canal, or of the feeder, to be supplied with water from the river Delaware, shall be constructed without the previous consent of the legislature of Pennsylvania, except such cut or cuts, branch or branches, as may be necessary or convenient for connecting the said feeder with the river Delaware.

3d. That the said canal shall be extended on the Raritan river below the middle ground shoal, and if not extended on the middle ground shoal on the Raritan, then the said Delaware and Raritan Canal Company shall remove all shoals, sand bars, banks, and other obstructions in the said river Raritan, so as to afford a safe and easy navigation for ever from the entrance of the said canal down and up the said river Raritan, of not less than eight feet water, at all times, in the channel.

4th. That the said canal and feeder shall be commenced on or before the first day of June, one thousand eight hundred and twenty-seven, and completed on or before the first day of January, one thousand eight hundred and thirty-three.

5th. That the said feeder and canal, when completed, shall for ever thereafter be esteemed and deemed a public highway, free for the transportation of any goods, commodities, or produce whatsoever, on the payment of the established tolls, which shall not exceed one cent per ton per mile for every ton weight of the ascertained loading of any boat, craft, or other vessel engaged in the transportation of commodities from the river Delaware to the river Delaware: *Provided*, That the rate of tolls charged on any such boat, ark, craft,

or other vessel, and the lading thereof, shall in no case exceed the rate of tolls charged on others of the same kind, navigating from the river Delaware, or any part thereof, to the Raritan or any intervening point of the said canal: and that the same rate of tolls shall be paid on boats, arks, craft, and vessels, and the lading thereof, passing on the main canal from the Delaware to the Raritan, as on those passing from the Raritan to the Delaware, or from any intervening point thereof: *Provided*, that nothing herein contained shall be so construed as to prohibit the said company from demanding and receiving on boats ascending the said feeder, the actual lading of which shall not exceed in weight the one half of the ascertained burthen thereof, one half cent per ton per mile for every ton weight of such ascertained burthen.

Sec. 2. *And be it further enacted by the authority aforesaid*, That if the legislature of Pennsylvania shall hereafter pass an act authorizing the said the Delaware and Raritan Canal Company to construct a canal in the county of Bucks, in the state of Pennsylvania, from or near the head of Biles' creek, to a point at or near the Steam-Boat wharf, near Tullytown, or any intermediate points through Pennsbury manor, to correspond in its dimensions and locks with the Delaware and Raritan Canal, with apt and proper corporate powers and similar tolls, privileges, and immunities as is granted to the said company by the act of incorporation of the state of New-Jersey, (excepting the restriction as to canals and rail-roads within ten miles thereof) that then, and in that case, if the said the Delaware and Raritan Canal Company shall omit, neglect, or refuse to construct and complete the canal through Pennsbury manor within three years after the passage of such act, the legislature of Pennsylvania shall have full power to alter or repeal this act, and the privileges hereby granted to the Delaware and Raritan Canal Company: *Provided always*, that nothing herein contained shall be construed to prevent the state of Pennsylvania from taking any other measures for the construction of the said canal, previous to the passing of such act as is herein before referred to in this section.

Sec. 3. *And be it further enacted by the authority aforesaid*, That if at any time hereafter it shall appear to the legislature of Pennsylvania, that in consequence of the construction of the said feeder and canal, there is a diminution in the depth of the water of the river Delaware exceeding two inches, and that such diminution seriously and injuriously affects the navigation thereof, or that the said the Delaware and Raritan Canal Company shall fail to construct and keep in repair the said feeder, so as at all times to afford a good ascending and descending navigation for boats or other craft, or if the said company shall use the waters of the said feeder or the canal for any other purpose than that of navigation, or if they shall directly or indirectly engage in any monied, commercial, manufacturing, or mining concern, or in any other business whatsoever, except such as may be necessary or proper for the constructing of such canal, feeder, and appurtenances, and the performance of the several functions of a canal company, that then, and in either of the above

mentioned cases, the said legislature shall have full power to alter or repeal this act, and annul the privileges hereby granted to the Delaware and Raritan Canal Company.

Sec. 4. *And be it further enacted by the authority aforesaid.* That if at any time hereafter the state of Pennsylvania should authorize the making of a canal on or near the banks of the Delaware, for the purpose of improving and extending the common navigation, trade, and commerce of the states of Pennsylvania and New-Jersey, and desire the co-operation of the state of New-Jersey in the same, and for that purpose to give her consent to use the waters of the Delaware of like quantity, then, and in that case, if the state of New-Jersey should refuse, upon application for that purpose, to give such consent, the state of Pennsylvania reserves to herself the right to repeal this act, and annul the privileges hereby granted to the Delaware and Raritan Canal Company.

Sec. 5. *And be it further enacted by the authority aforesaid.* That the act entitled, An act relative to the Delaware and Raritan Canal Company, to be constructed in the state of New-Jersey, be, and the same is hereby repealed.

Which report was read, and ordered to lie on the table, and two hundred copies thereof ordered to be printed.

The House resumed the consideration of the bill entitled, A supplement to an act entitled An act to enable the owners and possessors of meadows and tide marsh, lying on Assiscunk creek, within the limits of the city of Burlington, to erect and maintain a dam and other waterworks across the said creek, in order to prevent the tide from overflowing the same, and to run a fence across a certain lane, called Pudding Lane, in the city of Burlington, passed June 22, 1782;

Which was considered by section, and ordered to be engrossed.

The bill entitled, An act to incorporate the Howell Furnace Company, in the county of Monmouth,

Was read a second time, gone through by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act to authorize Rebecca Snowhill, widow of George Snowhill, deceased, to make sale of certain real estate;

Which was gone through by section, and ordered to be engrossed.

The preamble and resolution, from Council, relative to certain moneys in the hands of Abiah Wilson, esq.,

Was read, and unanimously agreed to.

Ordered. That the clerk inform Council, that the House have passed said preamble and resolution,

Without amendment.

The engrossed bill entitled, An act concerning the African Education Society,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act respecting the real estate of John Patrick, deceased,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to authorize Hannah Barcoe to inherit real estate,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act authorizing George W. Smith, administrator of all and singular the goods and chattels, rights and credits, which were of John Stilwell, deceased, with the last will and testament of the said John Stilwell annexed, to sell and convey real estate,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to divorce Abigail H. Pearsall from her husband Peter R. Pearsall,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Armstrong,
Barton,
Bee,
Capner,
Christie,
Clifford,
Conover,
Cook,
Day,
Drake, sp.

Dunn,
Earl,
Emley,
Ewing,
Foster,
Heas,
French,
Humphreys,
Kinsey,
Lloyd,
Marsh,

Mott,
Munson,
McDowell,
Robertson,
Seeley,
Stites,
Stryker,
Townsend,
Toy,
Van Blarcom,
Woodhull--35.

NAYS.

Messrs. Dunham,
Green,

Lake,

Vroom--4.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to revive and extend certain provisions of an act entitled An act for the settlement of territorial

limits and jurisdiction between the states of New-Jersey and New-York, passed December 10, 1824.

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,	Dunn,	Mott,
Armstrong,	Earl,	Munson,
Barton,	Emley,	McDowell,
Bee,	Ewing,	Robertson,
Capner,	Foster,	Seeley,
Christie,	Freas,	Stites,
Clifford,	French,	Stryker,
Conover,	Green,	Townsend,
Cook,	Humphreys,	Toy,
Day,	Kinsey,	Van Winkle,
Dodd,	Lloyd,	Vroom,
Drake, sp.,	Marsh,	Woodhull--57.
Dunham,		

NAY.

Mr. Van Blarcom.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon.



Three o'clock—the House met.

Mr. Capner presented the petition of a number of the owners of property and others, along and adjacent to the river Delaware, praying the incorporation of a company to improve the navigation of the said river below Easton;

Which petition was read, and committed to Messrs. Capner, Vroom, and McDowell.

Mr. Earl, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to confirm an acknowledgment of a certain deed therein mentioned;

Which bill was read, and ordered a second reading.

Mr. Clifford, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act supplementary to an act entitled An act to incorporate a part of the township of Trenton, in the county of Hunterdon. passed November 13, 1792;

Which bill was read. ordered a second reading, and to be printed.

The House resumed the consideration of the bill entitled. A supplement to the act entitled An act concerning forcible entries and detainers, passed the 2d May, 1798;

Which was gone through with by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act to permit and authorize Peter A. Johnson to dispose of his stock of books by lottery;

The first section of which was disagreed to, and the bill dismissed.

The bill entitled, An act relative to jurors,

Was read a second time, progressed in by section. and postponed.

A message from Council, by Mr. Halsted, their secretary *pro tempore*. informed the House, that Daniel Coleman, the secretary of the Council, having obtained leave of absence on account of indisposition, the Council have appointed William Halsted, jun., esq., their secretary *pro tempore*.

And that the Council have passed the bill from the House of Assembly entitled. An act to divorce Ann M. Griffith from her husband William R. Griffith.

Without amendment.

And that Council have disagreed to the bill from the House of Assembly entitled, A further supplement to the act entitled An act concerning roads.

The bill entitled, An act to authorize Cornelius Skillman and William Golden to sell certain real estate,

Was read a second time, and postponed.

The House adjourned to ten o'clock to-morrow morning.

THURSDAY, November 30.

Ten o'clock—the House met.

Mr. Cook presented the petition of Ann Coward. of Middlesex county, praying to be divorced from her husband Thomas Coward, jun.:

Which petition was read, and committed to Messrs. Cook, Christie. and Armstrong.

Mr. Dunn presented the petition of the owners of certain meadows in Middlesex county, praying that the company authorized to cut a canal from South river to the Raritan river. may be obliged to build bridges across the canal to connect the main land with said meadows, now insulated by the cutting of the said canal;

Which petition was read, and committed to Messrs. Dunn, Stites, and Clifford.

Mr. Green, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act for the relief of William McKisack :

Which bill was read, and ordered a second reading.

Mr. Stryker, from the committee appointed for that purpose,

Reported a bill entitled, An act to raise the sum of — thousand dollars, for the year 1827 :

Which bill was read, ordered a second reading, and to be printed.

The bill entitled, An act to incorporate the President, Managers, and Company of the Navigation and Canal Company,

Was read a second time, and postponed.

The House resumed the consideration of the bill entitled, An act relative to jurors ;

Which was gone through by section, and ordered to be engrossed.

The bill entitled, An act to authorize the chosen freeholders in the county of Monmouth to build a bridge over the North Branch of Neversink river,

Was read a second time, and postponed.

The engrossed bill entitled, An act to incorporate the Howell Furnace Company, in the county of Monmouth,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was decided in the negative, as follows :

YEAS.

Messrs. Armstrong,
Bee,
Chandler,
Christie,

Conover,
Day,
Kinsey,
Lloyd,

Marsh,
Munson,
West.
Woodhull—18.

NAYS.

Messrs. Archer,
Barton,
Capner,
Clifford,
Cook,
Drake, sp.,
Dunham,
Dunn,
Earl,
Emley,

Ewing,
Foster,
Freas,
French,
Green,
Humphreys,
Lake,
Mott,
McDowell,

Robertson,
Seeley,
Stites,
Stryker,
Townsend,
'Toy,
Van Blarcom,
Van Winkle,
Vroom—28.

The engrossed bill entitled, A supplement to an act to enable the owners and possessors of meadows and tide marsh lying on Assisunk creek, within the limits of the city of Burlington, to erect and maintain a dam and other waterworks across the said creek, in

order to prevent the tide from overflowing the same, and to run a fence across a certain lane, called Pudding Lane, in the city of Burlington, passed June 22, 1782,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

The engrossed bill entitled, A supplement to the act entitled An act concerning forcible entries and detainers, passed the 2d May, 1798,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Archer,	Drake, sp.,	Munson,
Armstrong,	Dunham,	McDowell.
Barton,	Dunn,	Robertson,
Bee,	Earl,	Seeley,
Capner,	Emley,	Stites,
Chandler,	Ewing,	Stryker,
Christie,	Foster,	Toy,
Clifford,	Green,	Van Blarcom,
Conover,	Lake,	Vroom,
Day,	Lloyd,	West,
Dickerson,	Marsh,	Woodhull--85.
Dodd,	Mott,	

NAYS.

Messrs. Cook,	French,	Townsend,
Freas,	Humphreys,	Van Winkle,
		[6.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to authorize Rebecca Snowhill, widow of George Snowhill, deceased, to make sale of certain real estate,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,	Conover,	Earl,
Barton,	Cook,	Emley,
Capner,	Day,	Ewing,
Chandler,	Dodd,	Green,
Christie,	Dunham,	Kinsey,
Clifford,	Dunn,	Lloyd,

Messrs. Marsh,
Mott,
Munson,
McDowell,

Robertson,
Seeley,
Stryker,

Toy,
West,
Woodhull--28.

NAYS.

Messrs. Archer,
Bee,
Drake, sp.,
Foster,

French,
Freas,
Humphreys,
Lake,

Stites,
Townsend,
Van Blarcom,
Vroom--12.

Ordered. That the speaker sign the same.

Ordered. That the clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The bill from Council entitled, A supplement to the act entitled An act to incorporate the Newark Mutual Fire Assurance Company, passed the 4th day of March, 1811,

Was read a third time, as amended.

On the question, shall this bill pass?

It was carried in the affirmative, as follows

YEAS.

Messrs. Archer,
Armstrong,
Bee,
Capner,
Chandler,
Christie,
Cook,
Day,
Dodd,
Drake, sp.,
Dunham,
Dunn,

Earl,
Emley,
Ewing,
Foster,
Freas,
French,
Green,
Humphreys,
Lake,
Lloyd,
Marsh,
Mott,

Munson,
McDowell,
Robertson,
Seeley,
Stites,
Stryker,
Townsend,
Toy,
Van Blarcom,
Vroom,
West,
Woodhull--36.

NAYS.

Messrs. Barton,

Clifford--2.

Ordered. That the speaker sign the same.

Ordered. That the clerk inform Council that the House have passed said bill.

With amendments—

To which amendments they request the concurrence of the Council.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Cook presented the petition of Mary Ann Boyd, of New-Brunswick, Middlesex county, praying to be divorced from her husband James Boyd;

Which petition was read, and committed to Messrs. Cook, Munson, and Clifford.

Mr. Cook presented the petition of Thomas L. Woodruff and others, officers of Trenton Lodge, No. 5, praying that said lodge may be incorporated;

Which petition was read, and committed to Messrs. Cook, Kinsey, and Mott.

Mr. McDowell presented a petition from a number of the inhabitants of Middlesex county, praying an alteration in the law relative to appeals, and the establishment of township courts to try the same;

Which petition was read, and committed to Messrs. Christie, Vroom, and Capner.

The bill from Council entitled, An additional supplement to the act entitled, An act constituting courts for the trial of small causes, and the bill entitled, An act to extend the powers and duties of justices of the peace in the several counties of this state, in certain cases,

Were called up, and referred to the same committee.

Mr. Dodd, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to authorize the treasurer of this state to loan surplus money, and for other purposes;

Which bill was read, ordered a second reading, and to be printed.

The bill entitled, An act to amend an act entitled An act to prevent horse racing, passed February 15, 1811,

Was read a second time, gone through by section, and ordered to be engrossed.

Mr. Woodhull submitted the following resolution:

Resolved, That a committee be appointed to inquire into the practicability and expediency of establishing free-schools in the state of New-Jersey, and to devise some plan by which they may be put into operation;

Which resolution was read, agreed to, and Messrs. Woodhull, Dodd, and Ewing accordingly appointed.

A message from Council, by Mr. Halsted, their secretary *pro tempore*, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act to authorize John Oothout, administrator of the goods and chattels, rights and credits, of John Oothout the elder, deceased, to convey and assure to Mary Lupp, during her life, with remainder in fee to Peter Lupp, a house and lot of land in the city of New-Brunswick, and county of Somerset,

Without amendment.

And that the Council have passed the bill from the House of Assembly entitled, An act to divorce Matilda Cole from her husband William Cole,

Without amendment.

The bill entitled, A supplement to an act entitled An act to establish an independent regiment of horse artillery, passed December 5, 1823,

Was read a second time, progressed in by section, and postponed.

The House resumed the consideration of the bill from Council entitled, An act to incorporate the Woodbury Fire Association;

Which was gone through by section, amended, and ordered a third reading.

The House adjourned to ten o'clock to-morrow morning.

FRIDAY, December 4.

Ten o'clock—the House met.

Mr. Earl presented the petition of the commanding officers of several uniform companies of the first regiment of the Burlington brigade, praying that said uniform companies may be set off into an independent battalion;

Which petition was read, and committed to Messrs. Earl, Dodd, and Ewing.

Mr. Van Winkle presented the petition of a number of the inhabitants of Saddle River township, in Bergen county, remonstrating against the building of a dam across the river Passaic above Paterson;

Which petition was read, and referred to the committee on that subject.

Mr. Cook, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to divorce Ann Coward from her husband Thomas Coward, jun.;

Which bill was read, and ordered a second reading.

Mr. Cook, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to divorce Mary Ann Boyd from her husband James Boyd;

Which bill was read, and ordered a second reading.

Mr. Cook, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act for incorporating trustees of Trenton Lodge, No. 5;

Which bill was read, and ordered a second reading.

The bill entitled, A further supplement to an act entitled An act to incorporate a company to erect a turnpike from Bordentown to South-Amboy, passed February 16, 1826;

Was read a second time, progressed in by section, and postponed.

The engrossed bill entitled, An act relative to jurors,
Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,	Earl,	Mott,
Barton,	Emley,	Seeley,
Bee,	Freas,	Stites,
Capner,	French,	Stryker,
Christie,	Green,	Toy,
Cook,	Jackson,	Van Blarcom,
Dickerson,	Lake,	Van Winkle,
Dodd,	Marsh,	Vroom—24.

NAYS.

Messrs. Armstrong,	Dunham,	Munson,
Chandler,	Dunn,	McDowell,
Clifford,	Ewing,	Robertson,
Conover,	Kinsey,	Townsend,
Day,	Lloyd,	West—16.
Drake, sp.,		

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The bill entitled, An act to incorporate the Franklin Copper Mining Company,

Was read a second time, and postponed.

On motion of Mr. Stites, that the House reconsider the vote on the engrossed bill entitled, An act to incorporate the Howell Furnace Company, in the county of Monmouth, the yeas and nays being required, were as follow:

YEAS.

Messrs. Armstrong,	Drake, sp.,	Stites,
Christie,	Dunn,	Toy,
Conover,	Jackson,	Van Blarcom,
Day,	Kinsey,	Van Winkle,
Dickerson,	Lloyd,	West—17.
Dodd,	Munson,	

NAYS.

Messrs. Archer,	Clifford,	Ewing,
Barton,	Dunham,	Freas,
Bee,	Earl,	French,
Capner.	Emley.	Green,

Messrs. Humphreys,
Lake,
Marsh,

Robertson,
Seeley,
Stryker,

Townsend,
Vroom—20.

So the House refused to reconsider their vote on said bill.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Earl presented the petition of Robert Imlay and others, owners of the steam-boats Pennsylvania, Etna, and New-York, belonging to the Columbian Steam-Boat Company, praying an act of incorporation for said company;

Which petition was read, and committed to Messrs. Earl, Day, and McDowell.

Mr. Dodd presented the petition of Mary Ann Shannon, of Essex county, praying to be divorced from her husband George W. Shannon;

Which petition was read, and committed to Messrs. Dodd, Green, and Dunham.

The bill entitled, A supplement to the act entitled An act for the relief of the heirs of William Vibbert, deceased, and others,

Was read a second time, considered by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, A further supplement to an act entitled An act to incorporate a company to erect a turnpike from Bordentown to South-Amboy, passed February 16, 1816;

Which was gone through by section, and ordered to be engrossed.

The House took up the report of the joint-committee of the Council and Assembly, on the subject of the Delaware and Raritan Canal;

Which report was read, and postponed.

Mr. Woodhull, with leave, presented a bill entitled, A supplement to the act to build a toll-bridge over the Raritan river, at the city of New-Brunswick;

Which bill was read, and ordered a second reading.

Mr. Earl, with leave, presented a bill entitled, A supplement to an act entitled An act to incorporate the President, Directors, and Company of the Farmers Bank of New-Jersey, passed January 26, 1815;

Which bill was read, and ordered a second reading.

A message from Council, by Mr. Halsted, their secretary *pro tempore*, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act authorizing John Uron, Philip Pew, and others to embank a tract of meadow in the county of Gloucester,

Without amendment.

And that the Council have agreed to the amendments made by the House of Assembly to the bill from the Council entitled, A supplement to the act entitled An act to incorporate the Newark Mutual Fire Assurance Company, passed the 4th day of November, 1811,

And have caused said bill to be re-engrossed.

And that the Council have passed the bill from the House of Assembly entitled, An act to authorize Elizabeth Bellis, William Bellis, and Ralph M. Bellis, administrators of Matthias Bellis, deceased, to convey certain real estate to William W. Bellis,

Without amendment.

And that the Council have also passed the bill from the House of Assembly entitled, An act to revive and extend certain provisions of an act entitled An act for the settlement of territorial limits and jurisdiction between the states of New Jersey and New-York, passed December 10, 1824,

Without amendment.

And the message further informed, that the Council have passed the bill from the House of Assembly entitled, An act to alter the time of the regimental musters of the Warren brigade,

With an amendment—

To which amendment they request the concurrence of the House of Assembly;

Which amendment was read, and, together with the bill, were postponed.

The House resumed the consideration of the bill entitled, An act relative to the Fire Department in the city of New-Brunswick,

The third section of which was disagreed to, and the bill postponed.

The House adjourned to ten o'clock to-morrow morning.

SATURDAY, December 2.

Ten o'clock—the House met.

Mr. Drake, the speaker, being absent, John T. Woodhull, esq., was unanimously elected speaker *pro tempore*.

Mr. Capner, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to incorporate a company to improve the navigation of the river Delaware below Easton;

Which bill was read, and ordered a second reading.

Mr. Earl, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to incorporate the Columbian Steam-Boat Company;

Which bill was read, and ordered a second reading.

Mr. Cook, from the military committee,

Reported a bill entitled, A further supplement to an act establishing a militia system, passed February 18, 1815;

Which bill was read, ordered a second reading, and to be printed.

The bill entitled, A further supplement to an act entitled An act for the preservation of deer and other game, and to prevent trespassing with guns, passed December 21, 1771,

Was read a second time, progressed in, and postponed.

Mr. Cook presented the decennial report of the Bordentown and South-Amboy Turnpike Company :

Which was ordered to lie on the table.

The bill entitled, An act to confirm an acknowledgment of a certain deed therein mentioned,

Was read a second time, considered by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act to incorporate the Passaic and Hackensack Ferry and Road Company ;

Which was gone through by section, and ordered to be engrossed.

The bill entitled, An act to appoint commissioners to sell and convey real estate, for purposes therein expressed,

Was read a second time, with the accompanying documents, gone through with by section, and ordered to be engrossed.

A message from Council, by Mr. Halsted, their secretary *pro tempore*, informed the House, that the Council have passed the bill from the House of Assembly entitled, A supplement to an act entitled An act to enable the owners and possessors of meadows and tide marsh, lying on Assiscunk creek, within the limits of the city of Burlington, to erect and maintain a dam and other waterworks across said creek, in order to prevent the tide from overflowing the same, and to run a fence across a certain lane, called Pudding Lane, in the city of Burlington, passed June 22, 1782,

Without amendment.

And that the Council have passed the bill from the House of Assembly entitled, An act to authorize Hannah Barcoe to inherit real estate,

Without amendment.

The House adjourned to ten o'clock on Monday morning.

MONDAY, December 4.

Ten o'clock—the House met.

Mr. Christie, from the committee to whom was referred the petition and the remonstrance on that subject,

Reported a bill entitled, An act to enable Garrabrant Van Riper

and James Van Blareom, or the survivor, his or their heirs or assigns, to erect a mill-dam across the river Passaic ;

Which bill was read, and ordered a second reading.

Mr. Earl, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act establishing an independent battalion within the bounds of the first regiment of the Burlington brigade ;

Which bill was read, ordered a second reading, and to be printed.

Mr. Dodd, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to dissolve the marriage contract between George W. Shannon and Mary Ann Shannon his wife ;

Which bill was read, and ordered a second reading.

Mr. Seeley, with leave, presented a bill entitled, A further supplement to the act entitled An act constituting courts for the trial of small causes ;

Which bill was read, and referred to the committee to whom other bills and a petition on the same subject were committed.

The bill entitled, An act to incorporate the New-Jersey and Schuylkill Coal Company,

Was read a second time, and postponed.

The engrossed bill entitled, A supplement to an act entitled An act for the relief of the heirs of William Vibbert, deceased, and others,

Was read a third time, and compared,

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to confirm an acknowledgment of a certain deed therein mentioned,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

The bill entitled, A supplement to the act entitled An act for the preservation of sheep, passed the 9th day of June, 1820,

Was read a second time, considered by section, and ordered to be engrossed.

The bill from the Council entitled, *An act to provide for the more equal and just representation of the several counties of this state in the General Assembly*,

Was read a second time, and postponed.

The House resumed the consideration of the bill entitled, *A further supplement to an act entitled An act for the preservation of deer and other game, and to prevent trespassing with guns*, passed December 21, 1771;

Which was gone through by section, and postponed.

The House took up the amendments made by Council to the bill from the House entitled, *An act to alter the time of the regimental musters of the Warren brigade*;

Which amendments were read, and disagreed to, and the clerk ordered to inform Council accordingly.

The bill entitled, *A supplement to an act entitled An act to incorporate the President, Directors, and Company of the Farmers Bank of New-Jersey*, passed January 26, 1815.

Was read a second time, considered by section, and ordered to be engrossed.

The House adjourned to ten o'clock to-morrow morning.

TUESDAY, December 5.

Ten o'clock—the House met.

Mr. Van Winkle presented petitions from a number of the inhabitants of Newark and its vicinity, praying the incorporation of the Passaic and Hackensack Ferry and Road Company;

Which petitions were read, and ordered to lie on the table.

Mr. Ewing presented the petition of Mathew Carey and others, of Philadelphia, praying the incorporation of a company to make a canal from Easton to Carpenters Point or the north-western boundary of this state;

Which petition was read, and ordered to lie on the table.

Mr. Van Blarcom, from the committee to whom was referred the petition of the town of Paterson, in the county of Essex, praying that the tax may not again be renewed on cotton mills,

Reported, That it is inexpedient to grant the prayer of the petitioners at this time;

Which report was read, and agreed to.

Mr. Kinsey, from the joint-committee of Council and Assembly appointed to settle the accounts of the state-prison,

Reported, That they have examined the accounts, and have compared the vouchers produced to them by the keeper and inspectors of the prison with the books kept at the prison, and also with the stock account of the last year, and believe the statements made, and herewith submitted, to be substantially correct.

By these statements it appears, that the loss sustained by the operations of the prison during the last year is less than in former years. The amount of loss in the year ending the 30th September, 1826, being \$3,975.07, from which sum should be deducted the sum of \$229.04, expended in repairs done to the prison, and from the above sum deduct also the amount of keepers' salaries and inspectors' fees, being \$6,025, and there will still remain a loss of \$730.03, being the amount expended in addition to the proceeds of the labor of the prisoners, for provisions, wood, clothing, &c. provided for the prisoners. By inspecting the treasurer's accounts, it will be found that there has been drawn from the treasury during the last year the sum of \$1,654 89, to defray the costs of criminal prosecutions and the expense of transmitting convicts to the state-prison.

The committee further report, that there were in the prison, on the 30th day of September last, 65 convicts, who were employed in the following manner:—Shoemaking 8, weaving 14, spooling 6, attending sick and washing yarn 3, stone sawing 4, pounding plaster 2, basket making 2, carpenter's work 1, spinning wool for prisoners' clothing 2, baking and cooking 3, gardening 1, tailoring 2, attending sick and sweeping rooms 1, and, in the cells, 16 sentenced to solitary confinement.—59 of the prisoners are Americans, 5 Irish, and 1 German:—8 are above the age of fifty years, 26 above the age of twenty-five years, and 2 under fifteen years.—36 of them are white, and 23 black, all men and boys—of the blacks, 6 are slaves.

The number of prisoners during the year have averaged 65, the keeping of whom have cost the state—

For provisions,	\$1,154.00
Clothing,	489.64
Wood,	362.00
Incidental expenses,	465.55
Furniture,	58.30

Amounting to	<u>\$2,529.49</u>
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Making the expense of each convict,

For provisions,	\$17.75
Clothing,	7.53
Wood,	5.56
Furniture,	.87
Other incidental charges,	7.16

Making an average to each person of	<u>\$38.87</u>
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To which, if we add the amount of keepers' and other officers' compensation, being \$3.025, making an average expense on each person of \$46.54, the whole amount of the cost of each prisoner will be about \$85.45.

The following will shew the profits of the labor done by the prisoners, and the comparative profit from the different kinds of labor:

14 weavers, with 6 persons employed at spooling, yielding a profit of	\$475.93
8 shoemakers,	498.37
4 sawing stone,	246.30
2 pounding plaster,	195.12

The committee were led to believe, that, by judicious employment, the convicts may be made materially to reduce the present expense of the establishment: but, from the peculiar organization of the institution, it must be left to the experience and discretion of the inspectors to procure materials, and make the necessary arrangements respecting the labor and employment of the prisoners.

After a careful examination of the prison, the situation and employment of the prisoners, and the state of the finances, there appears to have been, by the management of the present inspectors, manifestly a progressive improvement.

On the subject of solitary confinement, there is a coincidence of opinion, that as the judgment or sentence for solitary confinement is executed in our prison, there is not that benefit and advantage derived, which was by many expected from the change made in our criminal code. The morals of the prisoner are not more, if as much improved, as if he was sentenced to hard labor; habits of industry he cannot acquire: his knowledge of the honest means of obtaining subsistence cannot be increased: and when his term expires he is unable to endure manual labor, if willing to perform it; and, without friends and without character, or the means of gaining an honest living, he is cast upon the world, and is soon induced again to commit some offence against the laws of society.

On a careful review of the different modes of punishment, there is a decided preference in favor of confinement at hard labor, under a suitable course of discipline, as being more effectual in displacing the evil propensities, and reclaiming the convict to habits of industry and usefulness; and if the reformation should not be complete, yet the wretch who is the object of punishment may be chastised and made better, and at the same time the public relieved from much of the burthen of his support. Solitary confinement at night would be some punishment, and, with a strict discipline in the yard or workshop in the day, will enforce on the mind of the criminal a self-examination which must prove beneficial.

It will be observed, from the statements made, that the mode of employment of the prisoners has been changed from nail-making to weaving and other labor, by reason of which the old nail factory articles are entirely useless, and will probably remain so. Those materials, together with a quantity of nails, which have been on hand many years, form a material item of the stock book account every year, and remain dead property and a loss to the state.

Your committee would therefore recommend the following resolution:—

Resolved, That a committee be appointed to inquire into the expediency of directing an immediate sale of such articles as are no longer useful to the institution.

SILAS COOK, } Committee from
JOHN MOORE WHITE, } Council.

CHARLES KINSEY,
JOHN T. McDOWELL,
WILLIAM STITES
ELIAS P. SEELEY,
ISAIAH TOY.

Which report was read, and, together with the general statement and the accompanying documents, were ordered to lie on the table.

The bill entitled, An act to authorize the treasurer of this state to loan surplus money, and for other purposes,

Was read a second time, gone through by section, and ordered to be engrossed.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council do *insist* on their amendment to the bill from the House of Assembly entitled, An act to alter the time of the regimental musters of the Warren brigade;

Which message, together with the bill and amendments, were postponed.

And the message also informed, that the Council have passed the bill from the House of Assembly entitled, An act concerning the African Education Society,

With an amendment—

To which amendment they request the concurrence of the House of Assembly :

Which amendment was read, and, together with the bill, postponed.

And the message further informed, that the Council have passed the bill from the House of Assembly entitled, An act authorizing George W. Smith, administrator of all and singular the goods and chattels, rights and credits, which were of John Stilwell, deceased, with the last will and testament of the said John Stillwell annexed, to sell and convey real estate,

Without amendment.

The bill entitled, An act for the relief of fire companies,

Was read a second time, progressed in, and postponed.

The engrossed bill entitled, A supplement to the act entitled An act for the preservation of sheep, passed the 9th day of June, 1820,

Was read a third time, and committed to Messrs. Jackson, Green, and McDowell.

The engrossed bill entitled, A supplement to an act entitled An act to incorporate the President, Directors, and Company of the Farmers Bank of New-Jersey, passed January 26, 1815,

Was read a third time, and committed to Messrs. Earl, Dedd, and Ewing.

The engrossed bill entitled, A further supplement to an act entitled An act to incorporate a company to erect a turnpike from Bordentown to South-Amboy, passed February 16, 1816.

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered. That the speaker sign the same.

The engrossed bill entitled, An act to appoint commissioners to sell and convey real estate, for purposes therein expressed,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered. That the speaker sign the same.

The engrossed bill entitled, An act to incorporate the Passaic and Hackensack Ferry and Road Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,
Barton,
Capner,
Chandler,
Christie,
Clifford,
Day,
Dickerson,
Dodd,

Drake, sp.,
Earl,
Ewing,
Foster,
Jackson,
Kinsey,
Lake,
Marsh,

Munson,
Seeley,
Stites,
Stryker,
Townsend,
Toy,
Van Blarcom,
Van Winkle,
[25.]

NAYS.

Messrs. Archer,
Conover,
Cook,
Dunham,
Dunn,

Emley,
French,
Green,
Humphreys,
Lloyd,

McDowell,
Mott,
Robertson,
West,
Woodhull--15.

Ordered. That the speaker sign the same.

Ordered. That the clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Ewing presented the memorial of the New-Jersey Delaware Oyster Company, complaining of the adoption of the resolution for filing an information in the nature of a *quo warranto* against the said company; also of the occupation of the oyster beds within their chartered limits, and the destruction of their vessels and property by the inhabitants of Pennsylvania, in numerous vessels, armed and associated for the purpose, and asserting their compliance with the provisions of their charter, since their organization as a company, by the payment of the bonus of \$1000, and praying relief in the premises;

Which memorial was read, and committed to Messrs. Ewing, Dodd, and Vroom.

Mr. Archer, from the committee to whom was referred the resolution on that subject,

Reported a bill entitled, An act supplementary to an act entitled An act to regulate fees, passed June 13, 1799, and to repeal certain coroners' fees;

Which bill was read, ordered a second reading, and to be printed.

Mr. Cook, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to incorporate the Farmers and Mechanics Bank of Rahway;

Which bill was read, and ordered a second reading.

Mr. Jackson, from the committee to whom was referred the engrossed bill entitled, A supplement to an act entitled An act for the preservation of sheep, passed the 9th day of June, 1820,

Reported the same, with amendments;

Which amendments were read, and agreed to, and the bill, as amended, ordered to be again engrossed.

Mr. Earl, from the committee to whom was referred the engrossed bill entitled, A supplement to an act entitled An act to incorporate the President, Directors, and Company of the Farmers Bank of New-Jersey, passed January 26, 1815,

Reported the same, with an amendment;

Which amendment was read, and agreed to, and the bill, as amended, ordered to be again engrossed.

Mr. Cook, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to incorporate the New-Brunswick Insurance Company, in the counties of Middlesex and Somerset;

Which bill was read, and ordered a second reading.

The engrossed bill entitled, An act to incorporate the Bergen county Insurance Company,

Was called up, and recommitted.

The resolution submitted by Mr. Stites, on the 20th ult., relative to the rising of the House,

Was called up, read, and postponed.

The House took up the bill entitled, An act to alter the time of the regimental musters of the Warren brigade, together with the amendment made thereto by Council, disagreed to by the House, and insisted on by Council:

Whereupon the House resolved to insist on their disagreement to said amendment, and appointed Messrs. Robertson, Green, and McDowell a committee of conference, on the part of the House, on the subject of the disagreement of the two Houses concerning said amendment; and the clerk was ordered to inform Council thereof, and request them to appoint a correspondent committee.

The House took up the bill entitled, An act concerning the African Education Society, together with the amendment made by Council thereto;

Which amendment was disagreed to, and the clerk ordered to inform Council accordingly.

The House resumed the consideration of the bill entitled, An act for the relief of fire companies;

Which was considered by section, and the title so amended as to read, An act for the encouragement of fire companies, and thus amended, was ordered to be engrossed.

The House resumed the consideration of the bill entitled, A further supplement to an act entitled, An act for the preservation of deer and other game, and to prevent trespassing with guns, passed December 21, 1771;

Which was ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act to incorporate the Franklin Copper Mining Company;

Which was gone through by section, and ordered to be engrossed.

The bill entitled, An act to dissolve the marriage contract between George W. Shannon and Mary Ann Shannon his wife,

Was read a second time, considered by section, and ordered to be engrossed.

The bill entitled, An act to divorce Maria Stafford from her husband Joseph B. Stafford,

Was read a second time, and while under consideration,

The House adjourned to ten o'clock to-morrow morning.

WEDNESDAY, December 6.

Ten o'clock—the House met.

Mr. Robertson presented the petition of a number of the inhabitants of the counties of Warren and Hunterdon, praying the state to subscribe to one-fourth of the stock of the Delaware and Raritan Canal;

Which petition was read, and ordered to lie on the table.

Mr. Earl presented the petition of Theresa Parmentier, a native of Flanders, now a resident of Chester, in Burlington county, complaining of being called upon to pay a forfeited recognizance, entered into on behalf of William Hogan, for sending a challenge to fight a duel with Edward Harris, which the said Theresa Parmentier declares herself unable to pay, and for reasons set forth at length, she prays to be relieved from paying;

Which petition was read, and committed to Messrs. Earl, Stites, and Seeley.

Mr. Van Winkle, from the committee to whom was recommitted the engrossed bill entitled, An act to incorporate the Bergen county Insurance Company,

Reported the same, with an amendment;

Which amendment was read, and agreed to, and the bill, as amended, ordered to be again engrossed.

Mr. Kinsey, from the committee to whom was recommitted the bill entitled, A supplement to the act entitled An act to facilitate the intercourse between the states of New-York and Pennsylvania, and this state, passed the 15th of February, 1816,

Reported the same, with an amendment;

Which amendment was read, agreed to, and the bill, as amended, ordered to be again engrossed.

The House resumed the consideration of the bill entitled, An act to divorce Maria Stafford from her husband Joseph B. Stafford;

Which was read, with the accompanying documents, considered by section, and ordered to be engrossed.

The engrossed bill entitled, An act to incorporate the Franklin Copper Mining Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Armstrong,
Barton,
Bee,
Capner,
Chandler,
Christie,
Clifford,
Cook,
Day,
Dickerson,
Dodd,
Drake, sp.

Dunham,
Dunn,
Earl,
Emley,
Ewing,
Foster,
Green,
Jackson,
Kinsey,
Lake,
Lloyd,
Marsh,
Mott.

Munson,
McDowell,
Robertson,
Seeley,
Stites,
Stryker,
Townsend,
Toy,
Van Blarcom,
Van Winkle,
Vroom,
West,
Woodhull.

NAYS.

Messrs. Conover,

Freas,

French—3.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The House took up the report of the joint-committee of the Council and Assembly on the subject of the Delaware and Raritan Canal;

Which report, together with the resolution accompanying the same, for authorizing the treasurer to restore the bonus of \$100,000 to the company, were read, and the resolution so amended as to read,

Resolved, by the Council and General Assembly of this state, That the treasurer of this state may be authorized to pay to the said Delaware and Raritan Canal Company, or their lawfully authorized agents, the said sum of \$100,000, received by him from the said company, on the 24th day of June, 1825, together with the interest, if any, that may have accrued thereon; and that a committee be appointed to bring in a bill to that effect;

And on the question of agreeing to said resolution, as amended, the yeas and nays, being required, were as follow:

YEAS.

Messrs. Archer,

Armstrong,

Bee,

Cook,

Day,

Dunham,

Dunn,

Emley,

Ewing,

Foster,

Robertson,

Townsend,

Toy—13.

NAYS.

Messrs. Barton,

Capner,

Chandler,

Christie,

Clifford,

Conover,

Dickerson,

Dodd,

Drake, sp.,

Freas,

French,

Green,

Humphreys,

Jackson,

Kinsey,

Lake,

Lloyd,

Marsh,

Mott,

Munson,

Seeley,

Stites,

Stryker,

Van Blarcom,

Van Winkle,

Vroom,

West,

Woodhull—28.

So the said resolution was disagreed to.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Bee presented the petition of a number of the landholders of the town of Camden, applying for its incorporation.

Mr. Bee presented the petition of a number of the landowners of Newton township, Gloucester county, lying in the vicinity of the town of Camden, against including their land in the limits of the contemplated incorporation of Camden ;

Which petitions were read, and referred to the committee on that subject.

Mr. Dunham, from the committee on that subject,

Reported a bill entitled, An act to authorize the erection of weirs and fish baskets in the river Delaware, under certain regulations ;

Which bill was read, ordered a second reading, and to be printed.

Mr. Cook, from the military committee, to whom was referred No. 1, of unfinished business, a bill entitled, An act for the better organization of the cavalry of this state,

Reported the same, with amendments ;

Which amendments were agreed to, and the bill read, ordered a second reading, and to be printed.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have receded from their amendment to the bill from the House of Assembly entitled, An act concerning the African Education Society, and have passed said bill,

Without amendment.

And that the Council have appointed Messrs. Mackey and Clawson a committee of conference, on their part, on the subject of the amendment made by the Council to the bill from the House of Assembly entitled, An act to alter the time of the regimental musters of the Warren brigade, which the House of Assembly have disagreed to.

And that the Council have passed the bill from the House of Assembly entitled, An act to confirm an acknowledgment of a certain deed therein mentioned,

Without amendment.

And that the Council have passed a bill entitled, An act providing for the repairs of the government house—

To which bill they request the concurrence of the House of Assembly ;

Which bill was read, and ordered a second reading.

The bill entitled, An act to divorce Mary Ann Boyd from her husband James Boyd,

Was read a second time, with the accompanying documents, considered by section, and ordered to be engrossed.

The bill entitled, An act to incorporate the Columbian Steam-Boat Company,

Was read a second time, gone through by section, and ordered to be engrossed.

The engrossed bill entitled, A further supplement to an act enti-

zled, An act for the preservation of deer and other game, and to prevent trespassing with guns, passed December 21, 1771,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Archer,	Drake, sp.,	Mott,
Chandler,	Dunn,	McDowell,
Christie,	Earl,	Stites,
Conover,	Emley,	Van Blarcom,
Day,	Freas,	Van Winkle,
Dickerson,	Green,	Vroom—20.
Dodd,	Lloyd,	

NAYS.

Messrs. Armstrong,	Ewing,	Munson,
Barton,	Foster,	Robertson,
Bee,	French,	Seeley,
Capner,	Humphreys,	Stryker,
Clifford,	Jackson,	Townsend,
Cook,	Lake,	West—18.

The engrossed bill entitled, A supplement to an act entitled An act to incorporate the President, Directors, and Company of the Farmers Bank of New-Jersey, passed January 26, 1815,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

The engrossed bill entitled, A supplement to an act entitled An act for the preservation of sheep, passed the 9th day of June, 1820,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,	Dunn,	Mott,
Armstrong,	Earl,	Munson,
Barton,	Emley,	McDowell,
Bee,	Ewing,	Robertson,
Chandler,	Foster,	Seeley,
Christie,	Freas,	Stites,
Clifford,	French,	Stryker,
Conover,	Green,	Townsend,
Dickerson,	Humphreys,	Toy,
Dodd,	Jackson,	Van Blarcom,
Drake, sp.,	Lake,	Van Winkle,
Dunham,	Lloyd,	West—56.

NAYS.

Messrs. Capner, Day—2.

Ordered, That the speaker sign the same.*Ordered*, That the clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The engrossed bill entitled, An act to authorize the treasurer of this state to loan surplus moneys, and for other purposes,

Was read a third time, and postponed.

The House adjourned to ten o'clock to-morrow morning.

FRIDAY, December 8.

Ten o'clock—the House met.

Mr. Christie presented a remonstrance from a number of the inhabitants of Bergen county, remonstrating against the building of a dam across the river Passaic, by Garrabrant Van Riper and James Van Blareom;

Which petition was read, and ordered to lie on the table.

Mr. Bee presented the remonstrance of a number of the inhabitants of the township of Newton, in Gloucester county, against the inclusion of their lands within the contemplated chartered limits of the town of Camden;

Which petition was read, and referred to the committee on that subject.

Mr. Earl, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to exonerate Theresa Parmentier from her recognizance;

Which bill was read, and ordered a second reading.

Mr. Christie, from the committee to whom was referred the bill from Council entitled, Additional supplement to the act constituting courts for the trial of small causes; also, An act to extend the powers and duties of justices of the peace in the several counties of this state, in certain cases; a petition from Middlesex county, relative to the law concerning appeals; and a bill entitled, A further supplement to the act entitled An act constituting courts for the trial of small causes,

Reported the first named bill, with amendments;

One of which amendments was agreed to, and the others, together with the several bills and petition, referred to the said committee, were ordered to lie on the table, and the original bill from Council, and the amendments made thereto in committee, were ordered to be printed.

Mr. Marsh submitted the following resolution :

Resolved, That a committee be appointed to examine the map of this state, now forming by Thomas Gordon, esquire, to ascertain what further aid (if any) is necessary to ensure its prompt completion :

Which resolution was read, agreed to, and Messrs. Marsh, Green, and Ewing accordingly appointed.

The bill entitled, An act for incorporating trustees of Trenton Lodge, No. 5 :

Was read a second time, gone through by section, and ordered to be engrossed.

The bill entitled, An act concerning banking corporations and bodies politic,

Was read a second time, and postponed.

The bill entitled, An act to incorporate certain tenants holding oyster lots under this state,

Was read a second time, gone through by section, and postponed.

The resolution submitted by Mr. Green, on the 24th ult., for requesting the governor to instruct the prosecutor of the pleas for the county of Middlesex to continue the recognizance of Joshua Mercerau, a deputy sheriff of Richmond county, till the next June term of the Oyer and Terminer of Middlesex county, and till such subsequent term of that court as his excellency the governor may consider expedient and for the public interest,

Was called up, read, and agreed to.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed a bill entitled, An act relative to the degree of doctor of medicine ;

To which bill they request the concurrence of the House of Assembly.

The speaker laid before the House the following communication from Samuel Pennington, esq., agent of the state of the public lands at Paterson, covering the subjoined report, and a statement of the accounts of said agency :—

Newark, Dec. 6, 1826.

SIR,

I take the liberty of enclosing to you my report relating to the state lands at Paterson, and have accompanied it with Mr. Ackerman's statement, and also a receipt from Mr. Van Houten.

I had it in expectation to transmit with the report, the proceeds of the present year ; but not having received them, I felt it incumbent on me to report without further delay, as I cannot say with certainty when the same will come to hand. I expect, however, to have it in my power to transmit the money due to the state, in a very few days. Be pleased to have them laid before the House for their consideration.

Yours respectfully,

SAMUEL PENNINGTON.

GEORGE K. DRAKE, ESQ.

*To the Honorable the Legislative Council and General
Assembly of the State of New-Jersey.*

The undersigned, in obedience to your resolution relative to the state lands at Paterson, bearing date the ninth day of December, eighteen hundred and twenty-five, called on Abraham Ackerman, esq., late agent, who readily informed me as to the location and situation of such lands, and engaged that he would render an account of, and pay over, the balance of the proceeds remaining in his hands. On the 9th day of October last, he called and rendered the enclosed statement, whereby it appears that the whole amount received by him, was two hundred and fifty four dollars and fifteen cents. After retaining for agency twenty-five dollars per year, for four years, and the further sum of ten dollars and thirty-seven cents, paid to Mr. Van Houten for repairs to fences, as the attending receipt will shew, he then paid over the balance, to wit, one hundred and forty-three dollars and seventy-eight cents, which was by me transmitted to the treasurer of the state, by Silas Condit, esq.

The product of the rye sown under the direction of the late agent, and mentioned in his statement as falling into my hands, has not been received. It is supposed that it will not exceed one hundred bushels. In the present year, two hundred and eighty-two bushels of buckwheat have been grown. Of these two crops, one third will be coming to the state. All the land enclosed, except that under tillage, has been let for pasture to Mr. Adrian Van Houten, for thirty dollars.

To report more fully, relative to the proceeds of the present year, is not in my power, as no returns have yet been made. They are daily expected, and for this reason I have been induced to withhold my report until this late period; but a sense of duty urges me to delay no longer.

The money due the state, as soon as received, shall be immediately paid over to the treasurer. It may be expected that some information will be given, with regard to the situation and quality of the land. A part lies unenclosed, and the remainder in a poor state of fence. The soil is naturally thin and light, and without considerable attention and expense bestowed in its culture, must remain in a great measure unproductive. It lies near a half mile from the town of Paterson.

In consideration of the deranged and unproductive state it is in at present, and the improbability of its increasing in value for many years to come, I would with great deference submit, whether it would not be advisable that the state should dispose of the same; and that some person should be authorized to receive proposals for such, (if any there be,) and lay the proposals then received before the legislature.

All which is respectfully submitted.

SAMUEL PENNINGTON.

Newark, Dec. 6, 1826.

Which communication, report, and statement were read, and committed to Messrs. Christie, Woodhull, and Van Blarcom.

The engrossed bill entitled, An act to incorporate the Columbian Steam-Boat Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,
Chandler,
Christie,
Conover,
Cook,
Dickerson,
Dunn,
Earl,
Emley.

Ewing,
Foster,
French,
Green,
Jackson,
Lloyd,
Marsh,
Mott,
McDowell,

Robertson,
Seeley,
Townsend,
Toy,
Van Blarcom,
Vroom,
West,
Woodhull--26.

NAYS.

Messrs. Archer,
Barton,
Drake, sp.,
Dunham,

Freas,
Humphreys,
Lake,

Munson,
Stryker,
Van Winkle,
[10.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The bill from Council entitled, An act to incorporate the Woodbury Fire Association,

Was read a third time, as amended.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Barton,
Bee,
Chandler,
Christie,
Clifford,
Day,
Dickerson,
Drake, sp.,
Dunham,

Emley,
Freas,
French,
Green,
Humphreys,
Lake,
Lloyd,
Marsh,
Mott,
Munson,

Robertson,
Seeley,
Stites,
Stryker,
Townsend,
Toy,
Van Blarcom,
Vroom,
West—29.

NAYS.

Messrs. Armstrong,
Cook,
Dunn,

Earl,
Ewing,
Foster,

McDowell,
Van Winkle,
[S

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that it has been passed by this House,

With amendments—

To which amendments they request the concurrence of the Council.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

On motion of Mr. Stryker, that the House reconsider their vote on the engrossed bill entitled, A further supplement to the act entitled An act for the preservation of deer and other game, and to prevent trespassing with guns, passed December 21, 1771,

The yeas and nays, being required, were as follow:

YEAS.

Messrs. Archer,
Armstrong,
Bee,
Chandler,
Christie,
Clifford,
Conover,
Day,
Dickerson,
Dodd,
Drake, sp.,

Dunham,
Dunn,
Earl,
Emley,
Freas,
Green,
Jackson,
Kinsey,
Lloyd,
Marsh,
Mott,

Munson,
McDowell,
Robertson,
Stites,
Stryker,
Toy,
Van Blarcom,
Van Winkle,
West,
Woodhull--32.

NAYS.

Messrs. Barton,
Capner,
Cook,
Ewing,

Foster,
French,
Humphreys,

Lake,
Seeley,
Vroom—10.

So the vote on the said bill was reconsidered, and the same was reinstated on the files of the House.

The engrossed bill entitled, A supplement to the act entitled An act to facilitate the intercourse between the states of New-York and Pennsylvania, and this state, passed the 15th of February, 1816.

Was read and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Armstrong,	Dunn,	Munson,
Chandler,	Earl,	McDowell,
Christie,	Foster,	Stryker,
Cook,	Jackson,	Toy,
Dickerson,	Kinsey,	Van Blarcom,
Dodd,	Lloyd,	Van Winkle,
Drake, sp.,	Marsh,	Woodhull--21.

NAYS.

Messrs. Barton,	Emley,	Mott,
Bee,	Ewing,	Robertson,
Capner,	Freas,	Seeley,
Clifford,	French,	Stites,
Conover,	Green,	Townsend,
Day,	Humphreys,	Vroom,
Dunham,	Lake,	West—21.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, A further supplement to an act entitled An act to incorporate a company to erect a turnpike from Bordentown to South-Amboy, passed February 15, 1816.

And the bill from the House entitled, An act to divorce Elizabeth C. Furman from her husband Howard Furman, Respectively, without amendment.

The engrossed bill entitled, An act to incorporate the Bergen county Insurance Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,	Earl,	McDowell,
Armstrong,	Emley,	Seeley,
Chandler,	Foster,	Stryker,
Christie,	Green,	Toy,
Cook,	Kinsey,	Van Blarcom,
Day,	Lloyd,	Van Winkle,
Dickerson,	Mott,	Vroom,
Dunn,	Munson,	West—24.

NAYS.

Messrs. Barton,	Capner,	Conover,
Bee,	Clifford,	Drake, sp.,

Messrs. Ewing,
Freas,
French,
Humphreys,

Lake,
Marsh,
Robertson,

Stites,
Townsend,
Woodhull--10

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The engrossed bill entitled, An act for the encouragement of literature,

Was read a third time. and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Chandler,
Christie,
Cook,
Dickerson,
Dodd,
Drake, sr.,
Dunham,

Dunn,
Foster,
Green,
Jackson,
Kinsey,
McDowell.

Stites,
Stryker,
Van Blarcom,
Van Winkle,
Vroom.
Woodhull--19.

NAYS.

Messrs. Archér,
Armstrong,
Barton,
Bee,
Capner,
Clifford,
Conover,
Day,

Earl,
Emley,
Ewing,
Freas,
French,
Humphreys,
Lake,
Lloyd,

Mott,
Munson,
Robertson,
Seeley,
Townsend,
Toy,
West--23.

Mr. Christie, with leave, presented a bill entitled, An act to promote the making of a turnpike road from Deckertown, in the county of Sussex, to the Delaware, nearly opposite to Milford, in the state of Pennsylvania;

Which bill was read, and ordered a second reading.

The House adjourned to ten o'clock to-morrow morning.

SATURDAY, December 9.

Ten o'clock—the House met.

Mr. Emley, from the committee to whom was referred the petition of Elizabeth Ivins, praying to be divorced from her husband Isaac Ivins, jun.,

Reported, That, in the opinion of the committee, it is inexpedient to grant the prayer of the petitioner;

Which report was read, and agreed to.

Mr. Clifford, from the committee to whom was referred the petition of Cornelius Rulofson, praying to be divorced from his wife Mary,

Reported, That the said petitioner have leave to bring in a bill for that purpose, on the second Wednesday of the next session of the legislature, he having first advertised his intention so to do in the *Hunterdon Gazette* and one of the newspapers printed in the city of Trenton, once a week, for at least four weeks previous to the next meeting of the legislature;

Which report was read, and agreed to.

Mr. Ewing, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act for the relief of the New-Jersey Delaware Oyster Company, and for the protection of the oyster beds in Delaware bay;

Which bill was read, ordered a second reading, and to be printed.

Mr. Robertson, from the committee of conference of Council and Assembly, to whom was referred the subject of the disagreement of the two Houses concerning an amendment made by Council to the bill from the House entitled, An act to alter the time of the regimental musters of the Warren brigade,

Reported, That, having had a free conference on the subject submitted to them, they cannot agree to the amendment made to said bill by Council;

Which report was read, and ordered to lie on the table.

The House resumed the consideration of the bill entitled, An act to incorporate the New-Jersey and Schuylkill Coal Company;

Which was gone through with by section, and the title amended so as to read, An act to incorporate the New-Jersey Coal Company, And thus amended, the bill was ordered to be engrossed.

The bill entitled, An act to promote the making of a turnpike road from Deckertown, in the county of Sussex, to the Delaware, nearly opposite to Milford, in the state of Pennsylvania,

Was read a second time, gone through by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act to incorporate certain tenants holding oyster lots under the state;

Which was ordered to be engrossed.

The bill entitled, An act to authorize Maria Thompson, administratrix, and Mark Thompson, administrator of Robert C. Thompson, late of Warren county, deceased, to convey certain real estate to Jacob Pence, Frederick Lance, Jacob Swackhammer, Abraham Castner, and Peter Baylor; and also to sell and convey other lands of the said Robert C. Thompson, deceased, for the payment of debts,

Was read a second time, progressed in, and postponed.

The bill entitled, An act to incorporate a company for the purpose of rendering the Crosswicks creek navigable,

Was read a second time, progressed in by section, and postponed.
Mr. Dodd, with leave, presented a bill entitled, An act to prevent horse racing;

Which bill was read, and ordered a second reading.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

The bill entitled, An act to erect the village of New-Mills, in the county of Burlington, into a borough, to be called the Borough of Pemberton,

Was read a second time, progressed in by section, and postponed.

The House adjourned to ten o'clock on Monday morning.

MONDAY, December 11.

Ten o'clock—the House met.

Mr. Seeley presented the petition of Ichabod Lore, of Cumberland county, praying authority to embank his meadow, and exempting and freeing it from the control of the Friendship Meadow Company;

Which petition was read, and committed to Messrs. Seeley, Mott, and Humphreys.

Mr. Lake, from the committee to whom was referred No. 34, of unfinished business, the report of a committee of the last session on the petition of a number of the inhabitants on and near Tanners Brook, for the improvement of the navigation of Reads Creek, in Gloucester county,

Reported, That having had the subject under consideration, and finding that by the report of a former committee, of the 24th November, 1825, Minutes, page 113, is recorded as follows, viz. "That the petitioners have leave to present a bill to answer the prayer of their petition, on the second Tuesday of the next session of the legislature, they giving four weeks' previous notice thereof in one of the public newspapers printed in said county, and advertising the same for the space of three weeks in three of the most public places in said township." The committee having found that the above directions have not been complied with, are of opinion that it ought to be dismissed;

Which report was read, and agreed to.

The House resumed the consideration of the bill entitled, A fur-

ther supplement to the act entitled An act concerning roads, passed the 2d of February, 1818;

Which was gone through by section, and postponed.

The House resumed the consideration of the bill entitled, An act to erect the village of New-Mills, in the county of Burlington, into a borough, to be called the Borough of Pemberton;

Which was gone through with by section, and ordered to be engrossed.

The bill entitled, An act to authorize Garrabrant Van Riper and James Van Blarcom, or the survivor, his or their heirs or assigns, to erect a mill-dam across the river Passaic,

Was read a second time, progressed in by section, and postponed.

The bill entitled, An act supplementary to an act entitled An act to incorporate a part of the township of Trenton, in the county of Hunterdon, passed November 13, 1792,

Was read a second time, and postponed.

The report of the committee of conference on the disagreement of the two Houses, concerning an amendment made by Council to the bill from the House of Assembly entitled, An act to alter the time of the regimental musters of the Warren brigade, which amendment was disagreed to by the House,

Was taken up: whereupon

Mr. Robertson offered the following, as a substitute for said report:

The committee appointed to confer with the committee appointed by Council, respecting the disagreement of the two Houses in regard to an act entitled, An act to alter the time of the regimental musters of the Warren brigade,

Report, That the committees of the two Houses cannot agree in any joint recommendation: and the committee of this House therefore recommend an adherence to their disagreement to the amendment made by Council;

Which substitute was accepted, as the report of the committee of conference, agreed to by the House, and the clerk ordered to inform Council accordingly.

Mr. Robertson, with leave, presented a bill entitled, An act to change the regimental musters of the Warren brigade;

Which bill was read, ordered a second reading, and to be printed.

Mr. Earl, with leave, presented a bill entitled, An act further to amend the judicial system of this state;

Which bill was read, ordered a second reading, and to be printed.

The bill entitled, An act for the relief of the New-Jersey Delaware Oyster Company, and for the protection of the oyster beds in Delaware bay,

Was read a second time, gone through with by section, and ordered to be engrossed.

The resolution relative to certain unavailable balances standing on the books of the treasurer, agreed to a few days since.

Was called up, made a joint resolution, engrossed, and in that shape was agreed to, and the clerk ordered to carry the same to Council for their concurrence.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, A supplement to an act entitled An act to incorporate the President, Directors. and Company of the Farmers Bank of New-Jersey, passed January 26, 1815,

Without amendment.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

The bill entitled, An act to repeal the supplement to the act entitled An act to establish a new township in the county of Salem, to be called the township of Centreville, passed November 19, 1821,

Was read a second time :

Whereupon Mr. Freas presented a remonstrance of a number of the inhabitants of the townships of Pittsgrove and Centreville against the passage of the said bill into a law ;

Which remonstrance was read, and ordered to lie on the table :

The first section of said bill was then disagreed to, and the bill dismissed.

The bill entitled, An act supplementary to an act entitled An act to regulate fees, passed 13th June, 1799, and to repeal certain coroners' fees,

Was read a second time, and recommitted.

The bill entitled, An act concerning fisheries,

Was read a second time, gone through with by section, and postponed.

The House resumed the consideration of the bill entitled, An act further supplementary to an act entitled An act to incorporate a part of the township of Trenton, in the county of Hunterdon, passed November 13, 1792 ;

Which was gone through with by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act to enable Garrabraut Van Riper and James Van Blarcom, or the survivor, his or their heirs or assigns, to erect a mill-dam across the river Passaic ;

Which was gone through with by section, and ordered to be engrossed.

The House adjourned to ten o'clock to-morrow morning.

TUESDAY, December 12.

Ten o'clock — the House met.

Mr. Freas presented the petition of a number of the inhabitants of the counties of Gloucester and Salem, praying the impeachment of William Harrison, a magistrate of the said county of Gloucester, for malconduct in office;

Which petition was read, and committed to Messrs. Freas, Earl, and Kinsey.

The speaker laid before the House the following report of James Vanderpool and Asa Whitehead, two of the commissioners appointed to examine the situation and affairs of the Hoboken Banking and Grazing Company:

To the Honorable the Legislative Council and General Assembly of the State of New-Jersey.

The undersigned, two of the commissioners appointed by a joint resolution of your honorable bodies to examine into the situation and affairs of the Hoboken Banking and Grazing Company, and to inquire, whether the capital stock of said company was subscribed and paid in, agreeably to the act incorporating said company, or any supplement thereto: and whether the said company have employed, and continue to employ, one half of the capital stock of said company, for the uses and purposes specified in the act entitled, An act to incorporate the New-Jersey Salt Marsh Company, respectfully REPORT—

That it appears to your commissioners, that the books of subscription of the capital stock of the Hoboken Banking and Grazing Company, were opened pursuant to the provisions of the charter of said company, by Robert Swartwout and Charles G. Haines, two of the commissioners appointed in and by the said charter for that purpose, at Hoboken, in the county of Bergen, on the second Monday of December, in the year of our Lord one thousand eight hundred and twenty-two, the requisite previous notice having been first given, and were kept open for one day, when they were closed, the capital stock of said company, amounting to six thousand shares, having all been subscribed by Robert Swartwout, one of the said commissioners, no other person having subscribed any portion of the same. It further appears, that on the thirteenth day of January, in the year of our Lord one thousand eight hundred and twenty-three, Robert Swartwout and Margaret his wife, by their deed of that date, conveyed to the said the Hoboken Banking and Grazing Company, several lots or tracts of salt marsh or meadow, situate in the county of Bergen, containing in the whole three thousand one hundred and twenty-two acres, or thereabout, for the consideration of the sum of one hundred and fifty thousand dollars, the said deed containing the usual covenants, including a covenant of warranty;

and at the same time executed his three several promissory notes to the said company, in all for the sum of one hundred and fifty thousand dollars.—And your commissioners further report, that at the time of the execution of the deed of conveyance before mentioned, the premises therein described were subject to several mortgages then subsisting thereon and unpaid, amounting, as stated by Mr. Robert Swartwout in the presence of your commissioners and of the directors of the company, as nearly as he could recollect, to the sum of one hundred and five thousand dollars, to which statement the said directors assented: which statement, however, your commissioners understood and believe, was intended by Mr. Swartwout to apply to the lands in which the company now claim an interest, herein after mentioned. It further appears, from an examination of the records of mortgages in the clerk's office of the county of Bergen, that the mortgages upon the said premises uncanceled of record, at the time of the execution of the aforesaid deed, amounted to the sum of one hundred and fifty thousand eight hundred and seventy-five dollars, or thereabout, as near as your commissioners could ascertain and determine the same. And your commissioners have not found that any payment or security for the capital stock of said company, other than before mentioned, was made or given at the time of the issuing of the warrant of his excellency the governor of this state, authorizing the said company to commence the banking operations designed by their charter, nor but that the deed given by the said Robert Swartwout and his wife, as aforesaid, and the said three notes of the said Robert Swartwout, for the sum of one hundred and fifty thousand dollars, before mentioned, constituted the capital stock of said company, as paid in and secured to be paid at the date of said warrant, being the twenty-fifth day of January, in the year of our Lord one thousand eight hundred and twenty-three.

And your commissioners further report, that all the lands and premises mentioned in said deed given by said Robert Swartwout and wife, as aforesaid, (excepting about two hundred acres, lying on the south side of the turnpike road from Newark to Hackensack bridge) have, since the giving of said deed, been sold under proceedings taken by the mortgagees, or some of them, upon their mortgages, or otherwise, so that the only lands for which the company now hold the legal title, is the two hundred acres above mentioned; which two hundred acres is said to be included in a mortgage to the United States, given to secure the payment of seventy-five thousand dollars. The company also claim an interest in a certain lot of land, containing about one thousand nine hundred and sixteen acres and one rood, situate on the north side of the road aforesaid, and adjoining the same for a considerable distance, and adjoining and binding upon the Hackensack river, being a part of the land contained in the deed aforesaid, the circumstances of their claim to which, appear to be as follows:—John G. Costar, of the city of New-York, who held the prior incumbrance upon said lot of land, by one or more mortgages, caused the same to be sold, by virtue of two several decrees of the high Court of Chancery of this

state, one parcel whereof, containing nine hundred and forty-seven acres and one rood, was sold at the suit of the said John G. Costar, by the sheriff of Bergen, on or about the month of May, eighteen hundred and twenty-five, to Anthony Dey, who afterwards conveyed to said John G. Costar; and the residue whereof, containing nine hundred and sixty-nine acres, was also sold by said sheriff, at the suit of said Costar, on or about the month of December, of the same year, and purchased by him, whereby the title to the whole became vested in the said John G. Costar. The directors of the company allege, that this proceeding by Mr. Costar, and the sales, were had and made pursuant to an understanding and arrangement between him and the company, for the purpose of clearing the land of liens subsequent to the claim of Mr. Costar; and it being understood that Mr. Costar was to reconvey to the company, by an agreement exhibited to us, purporting to be made between the said John G. Costar and the said the Hotoken Banking and Grazing Company, dated the twentieth day of December, eighteen hundred and twenty-five, the said John G. Costar, in consideration of the said company having assumed to pay the debt due him from John Swartwout, Robert Swartwout, and Samuel Swartwout, amounting, on the first day of January then next, to the sum of forty-four thousand seven hundred and forty-five dollars and fifty-three cents, and executed their bond to him in the sum of ninety thousand dollars, with a condition thereunder, to make void the same upon the payment of said sum first mentioned, on or before the first day of January, eighteen hundred and thirty-three, shall, with lawful interest, at seven per cent., from and after said first of January then next, and as a further security for the payment of ten thousand dollars, part of the condition of said bond delivered to said John G. Costar, a scrip or certificate of stock of the said company, amounting, at par value, to the said sum of ten thousand dollars; and said Costar, as a further security, having also received the bond or obligation of Robert Swartwout, Phineas Freeman, and John B. Thorpe, conditioned for the payment of ten thousand dollars, on or before the first day of January, eighteen hundred and twenty-nine, with interest at seven per cent., payable half yearly, agrees to hold the title for the aforesaid lands, as security for the payment of said sum of forty-four thousand seven hundred and forty-five dollars and fifty-three cents, with the interest, as specified in the said bond from the company to him; and that whenever the company should pay the sum of five thousand dollars on account of the principal of the debt, the interest to the time being paid, that then said Costar should, at his election, convey to said company one-ninth part of said land, so as the same should be in one body and contiguous, and equal in value to the average value of the land, and so on, from time to time, until the whole debt and interest should be paid off and satisfied; and that, in the mean time, the company should take possession of said land, and go on to improve the same; and that, as regarded the stock, the scrip for which had been delivered to said Costar, he had the right to sell the same, or any part thereof, at any time within three years, and credit the

amount on the bond, at par, or at any time after the first day of January, eighteen hundred and twenty-seven, and before the first day of January, eighteen hundred and twenty-nine, to give notice to the company, that, within six months after notice, said Costar should require them to pay him the amount of said stock he might then hold, at par, with interest from the date of the notice, and the amount so paid should be credited on the bond; and in case the company did not redeem the stock within the six months, the said Costar should be at liberty, at any time thereafter, to sell the same at auction, to the highest bidder, giving ten days' previous notice thereof; and in case said Costar should neglect or refuse to give such notice before the first day of January, eighteen hundred and twenty-nine, then it was agreed and understood that said Costar should hold the said stock at par, in part payment of said bond, and the amount to be credited thereon; and said Costar was also to give credit for the dividends he might have received on the stock: and it was also agreed, that at any time after six months' previous notice from the company, they might redeem the stock at par, unless previously disposed of, or unless said Costar should elect to retain the same at par: and, as it regarded the bond so executed by the said Robert Swartwout, Phineas Freeman, and John B. Thorpe, it was agreed and understood, that whenever the company should pay the sum of ten thousand dollars, with interest, part and parcel of the debt due and owing on their bond before mentioned, that then the stock aforesaid was to be transferred to the company, and said bond assigned to the company by said Costar, but without recourse to him in any event: and that said Costar would at any time accept payment of any part of his debt, in sums not less than one thousand dollars: and that the conveyances to be given by said Costar was not to guaranty the title any further than against his own acts and deeds.

We have been thus particular in reciting the contents of the aforesaid agreement, that the legislature may have a full understanding of the nature and extent of the interest and title of the company in the lands at this time, inasmuch as the interest they derive and claim under the said agreement, and their title, before stated, to the two hundred acres on the south side of the road, is all the interest and title the company now profess to have in lands, the residue of the lands contained in the aforesaid deed from Robert Swartwout and wife to the company, having been so sold, as aforesaid, since the giving of said deed, that the company have now no interest in a title to the same; and it may be proper here to observe, in order to prevent any misunderstanding, that no part of the said lands have ever been conveyed by the company, but that the conveyances thereof have been made under proceedings adverse to them, except so far forth as relates to the sale and conveyance of the lands mentioned in the agreement with John G. Costar, by the sheriff of Bergen, alleged to have been made under the understanding and arrangement with the company by the said Costar, as herein before mentioned.

Your commissioners further report, that it appears by the transfer book of the company, that on the twenty first day of February, eighteen hundred and twenty-three, Robert Swartwout assigned to Joseph G. Swift three thousand shares of the capital stock of said company, and on the same day to Charles G. Haines three thousand shares of said capital stock, and on the same day the said Charles G. Haines assigned to three other persons, two shares each, of the said stock. An election of directors appears to have been holden on the next day, and a cashier appointed. About this time, it is stated, that the stock notes of Robert Swartwout, before mentioned, were delivered to him, and three notes of Joseph G. Swift, amounting to the sum of seventy-five thousand dollars, and three notes of Charles G. Haines, for the like sum, all bearing date the same as said Robert Swartwout's said notes, being the thirteenth day of January, eighteen hundred and twenty-three, payable to the company, substituted in their place. On the twenty-fifth day of the same month of February, the said Joseph G. Swift hypothecated to the company fifteen hundred shares of said stock, to secure the payment of his said notes; and the said Charles G. Haines hypothecated to the company a like number of shares of said stock, to secure the payment of his said notes. It does not appear that Swift or Haines made, or was to make, any payment to the said Robert Swartwout, on account of the assignment of said stock, but it is insisted by Mr. Swartwout, that said assignments were made in trust to them, and that the benefit and advantage arising therefrom were to be appropriated to the use of the creditors of the said Robert Swartwout and of his brother John Swartwout, who was then equally interested with him, and to the use of their families, if any thing remained.

Your commissioners have not discovered that any thing of importance transpired in relation to said company, or that they proceeded to make any use of their banking privileges, or to make any improvement upon the meadows, from the time of the above transactions until the sixth day of September, eighteen hundred and twenty-five, when the said institution seems again to have changed hands. On that day the following transfers of the stock of the said company were made, to wit—from Charles Walker, administrator of Charles G. Haines, deceased, to Israel Foote, fifteen hundred shares; from Joseph G. Swift to Israel Foote, fifteen hundred shares; from the cashier of the company to Joseph G. Swift, fifteen hundred shares;—and under this last transfer a note or memorandum is made, that “the notes to secure which this stock was assigned, were then returned to said Swift by consent of the company.” It is said that at this time the amount of said notes was paid in to the company: and by the first entry in the journal of the company, which, as well as all the other entries made therein, is under date of the thirteenth day of January, eighteen hundred and twenty-three, it is stated, that seventy-five thousand dollars was paid in on account of stock, but by whom or for what stock is not stated. This entry is explained by the officers of the company as follows, viz.—that the payment was made by Joseph G. Swift on

account of the stock heretofore hypothecated by him to the company, to secure his three notes aforesaid; that the true date of said entry is the sixth of September, eighteen hundred and twenty-five, the day on which the transfer by the cashier to him, before mentioned, was made. By another entry upon the same page, it appears that the company loaned to Mr. Israel Foote, on an hypothecation of stock, twenty-three thousand dollars; Mr. Foote's note for that amount, dated the sixth of September, eighteen hundred and twenty-five, payable to the company on demand, was shown to us, and stated to have been given on account of said loan; and by another entry, next in order to the entry last mentioned, it appears that the company loaned, on Johnston & Smith's notes in favor of J. & D. Hinsdale, payable ten years after October 10th, 1825, with interest, the further sum of fifty-two thousand dollars; the said two sums making together the sum of seventy-five thousand dollars, before alleged to have been paid in by Joseph G. Swift. It does not appear, from this entry, to whom this loan of fifty-two thousand dollars was made, or from whom the notes were received; but it was stated to us at the time of the examination, by the officers of the company, that the same was made to the said Israel Foote, and the notes received from him;—the notes are not endorsed by Mr. Foote. The officers of the company allege, that the true date of the loan of twenty-three thousand dollars to Mr. Foote, is September eighteen hundred and twenty-five, and should have been so entered; and that the true date of the loan of fifty two thousand dollars on Johnston & Smith's notes, is the twenty-fourth day of February, eighteen hundred and twenty six, and should have been so entered. By the transfer book it appears, that on the sixth day of September, eighteen hundred and twenty-five, Joseph G. Swift assigned to Thomas C. Risk, cashier of the company *pro tempore*, fifteen hundred shares of the capital stock of the said company. To this transfer is annexed the following note or memorandum, in pencil: "This stock stands as security for the paper the company now hold on account of fifteen hundred shares (see notes) for which J. G. Swift's notes were given originally." This transfer is alleged by the officers of the company to relate to the note of Israel Foote, and the notes of Johnston & Smith before mentioned, and to have been made as an hypothecation to secure the same. Whether the said transfer was made for that purpose, your commissioners have not been able to ascertain; but if the same was so done, the date assigned by the company as the true date of the loan made upon Johnston & Smith's notes must be erroneous: as it will be remembered that the date of said transfer is the sixth of September, eighteen hundred and twenty five, and the alleged date of the loan upon Johnston & Smith's notes, is the twenty-fourth of February following. It further appears, from an entry in the aforesaid journal of the company, that there was paid in by Johnston & Smith, "on account of the notes of the company," ten thousand five hundred dollars; and by another entry, next in order to this, that the company loaned to Mr. Israel Foote the like sum, on an hypothecation of stock. The alleged date of these two trans-

actions is the tenth day of August, A. D. 1826. The note of Israel Foote for said sum, dated upon that day, payable to the company on demand, appears among the notes exhibited to us: this note is not entered upon the journal. The entries before mentioned, together with one other entry, by which meadow lands are debited to bills receivable, as follows, *viz.*—"For this amount of the funds of the company, held in notes due the company, set apart for the purpose of improving the meadows or paying any incumbrance thereon, \$45,000," constitute the whole of the entries made in said journal, in relation to the disposition of the funds of the company: the date assigned for the last entry is the sixth of September, A. D. 1825. It will be recollected that these entries all appear under date of the 15th of January, A. D. 1823, as before stated, and are explained, as to their dates, by the officers of the company, as also before stated; it being alleged by them, that the true dates were omitted through inadvertence, the entries having been made from memorandums. From appearances, your commissioners are under the impression, that said entries were made on or about the same time, and probably at some recent period. We would here suggest, in relation to the payment said to have been made when Joseph G. Swift's notes were taken up, if such payment was made, that the money was immediately, or shortly afterwards, loaned on the note of Israel Foote and the notes of Johnston & Smith, so that it amounts, in the end, to the same thing as though the notes of Foote & Johnson and Smith had been directly substituted in the place of the said notes of Joseph G. Swift. We would also remark, that no facts have come to our knowledge that go to show that any consideration was paid or given to Joseph G. Swift or to the administrator of Charles G. Haines for the transfer of stock made by them to Israel Foote, as before mentioned; but an understanding or agreement is alleged to exist between Robert Swartwout and Israel Foote, that Mr. Swartwout is to participate in the advantages derived from that part of the stock which was considered as paid in by the conveyance of the meadows by said Robert Swartwout, as aforesaid.

The company commenced banking operations on the sixth day of May last past. They have a room on the second floor of one of the public houses at Hoboken, which is used as an office for the transaction of business by the board of directors, and for signing and issuing the notes of the company; and Mr. Timothy Davis, the president, resides at Hoboken, and attends at this office for the purpose of paying the notes, when presented for that purpose. The notes, when signed, are taken to No. 34. Wall street, New-York, being an office in the occupation of Mr. Israel Foote, at which office the notes are also redeemed. It does not appear that the company have ever discounted any paper, or that their office has ever been used as an office of deposit, or that they have, in any other respect, carried on a business which would be considered, as we understand the subject, a banking business, except the issuing of bank-notes; and it is stated by the directors, that their notes, when issued, have been put in circulation only by exchanging them for

the notes of other banks. The books kept by the company are, the journal before mentioned, the transfer book, a book containing an account of bank notes issued and redeemed, and a book of minutes. They have none of the other books usually kept by banking institutions.

Your commissioners, having made inquiry for an account of the expenses of the company, were informed, that their expenses, since the commencement of banking operations, have been—for plates, printing, the purchase of two iron chests, the rent of the office at Hoboken, at fifty dollars per annum, the president's salary, at five hundred dollars per annum, the cashier's salary, at one hundred and fifty dollars per annum, and some expenses upon the meadows, principally in an experiment, by boring, to procure fresh water, which had proved successful, and, perhaps, for some other things not now recollected; that Mr. Foote had paid said expenses, excepting some bills which had not been presented, and had not yet rendered an account of their amount. Mr. Foote stated generally, that the expenses were about equal to the interest on the notes held by the company.

The property exhibited to the commissioners, as belonging to the company, (besides their interest in lands before mentioned) is as follows, *viz.*

	Dols.	Cts.
Three notes of Charles G. Haines, dated January 13, 1825, for	75,000	00

[For which stock to the same amount was hypothe-
cated. Mr. Haines is now deceased, and his estate in-
solvent:—these notes are therefore considered by the
company as unavailable.]

Israel Foote's note, dated September 6, 1825, payable on demand, to the company, for \$23,000, on which note is endorsed a payment of \$7,432, leaving due thereon,	15,567	00
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Thirty-two notes, drawn by Johnston & Smith, of Cincinnati, dated October 10, 1825, payable ten years after date, to John Hinsdale and Daniel Hinsdale, amounting to \$52,000, part bearing interest from date, and part bearing interest after one year, endorsed by said Hinsdales, without recourse to them; which notes, it is stated, are held by the company, for	46,500	00
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Israel Foote's notes, payable, on demand, to the company, dated August 10, 1826, for	10,500	00
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Notes of the Mechanics Bank of the city of New-York,	2,433	00
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Total,	75,000	00
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[The above are alleged, by the company, to be good.]

Dols. Cts

By the statement made by the company, it appears that the whole amount of their notes signed since the commencement, is		15,900 00
Of which has been burned, on account of the emission being counterfeited,	\$11,397	
There is on hand,	5,196	
And in circulation,	1,307	
	<hr/>	15,900 00

The company have a fund for the redemption of their notes, besides the notes and money before specified, as follows, to wit:—

In specie,	\$450	
In bankable money,	857	
	<hr/>	1,307 00

The notes and funds of the company are principally kept at the office, No. 34, Wall street, New-York, before mentioned, and appear to be subject to the control and direction of Mr. Israel Foote, a director, and one of the finance committee of the company. We infer this, as well from the general appearance of things, as from the facts, that the business is principally done at the office in N. York, before mentioned: that the cashier, receiving but a small salary, devotes most of his time to other business, and but a small portion to this; and chiefly from a circumstance which occurred in our presence, in taking an account of the notes and money constituting the capital stock, it was found, if the notes were taken as they appeared, the whole amount would exceed the sum of seventy-five thousand dollars: whereupon Mr. Foote stated, that a payment of seven thousand four hundred and thirty-three dollars had been made upon his note for twenty-three thousand dollars, which was omitted to be credited, and immediately wrote an endorsement of a payment to that amount upon the back of the note.

In order that the legislature may understand more fully and distinctly whether the capital stock of said company was paid in, or secured to be paid in, according to the requisitions of the act incorporating said company, and whether the company have employed, and continue to employ, one half of their capital stock for the uses and purposes specified in the act entitled, An act to incorporate the New-Jersey Salt Marsh Company, it may be thought proper for us to make some statements in regard to the value of the lands contained in the deed from Robert Swartwout to the company, at the time of the execution thereof, and the present value of that part of said lands in which the company now claim an interest. Upon these subjects, great contrariety of opinions exist. The Messrs. Swartwout have expended large sums of money in attempts to reclaim these lands, and make them productive, by erecting embankments to prevent them from being overflowed, and by ditching and draining the same. And while the opinions of some persons are, that the value of these improvements may be realized by keeping up the em-

bankments and pursuing a course of cultivation, others deny this, and insist, that the meadows have been injured by the means taken to reclaim them, and that they are not susceptible of the improvements intended as the object of the Messrs. Swartwout. The company admit that said lands, at present, are unproductive.

From all the information we have gathered upon this subject, we apprehend we may safely advance the opinion, that the incumbrances existing on the aforesaid lands, at the time of their conveyance by Robert Swartwout and wife to the company as aforesaid, were more than could have been gotten for the same upon any *bona fide* sale or sales thereof at that time; and that the amount the company have assumed to pay John G. Costar, for the conveyance of the nineteen hundred and sixteen acres of said lands, before mentioned, is as much as could have been, at the time of making the agreement with him, gotten for the same upon a *bona fide* sale or sales thereof; and that the two hundred acres to which the company now have a title, being incumbered by the mortgage to the United States for seventy-five thousand dollars, is a sum far beyond the value thereof; and that the said company, if their journal entry be correct, had the sum of fifty-two thousand dollars on hand at the time of making the aforesaid agreement with John G. Costar, and might have appropriated the same to the extinguishment of his claim. We would further remark, that it does not appear to us, from any information that we have received from the company, or otherwise, that the personal responsibility of Robert Swartwout, at the time of giving his deed to the Hoboken Banking and Grazing Company, was sufficient to enable him to fulfil the covenants contained therein, or to pay his notes given to secure the payment of one hundred and fifty thousand dollars, being the one half of the capital stock of said company, the consideration money mentioned in said deed and the said notes making, together, the sum of three hundred thousand dollars. Your commissioners have considered that the foregoing detailed statement of the affairs of the said Banking and Grazing Company will be satisfactory, to enable your honorable bodies to take such measures as to them shall appear advisable.

All which is respectfully submitted.

JAMES VANDERPOOL, } *Commissioners.*
ASA WHITEHEAD, }

Newark, December 11, 1826.

Which report was committed to Messrs. Dodd, Ewing, and Lake.

Mr. Dodd, with leave, presented a bill entitled, An act to authorize the treasurer of the state to transfer certain stocks;

Which bill was read, ordered a second reading, and to be printed.

Mr. Woodhull, with leave, presented a bill entitled, An act for the promotion of literature;

Which bill was read, ordered a second reading, and to be printed.

The engrossed bill entitled, An act to incorporate the New-Jersey Coal Company.

Was read a third time, and postponed.

The engrossed bill entitled, An act to divorce Mary Ann Boyd from her husband James Boyd,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Armstrong,
Barton,
Capner,
Christie,
Clifford,
Conover,
Cook,
Dunn,
Earl,

Emley,
Ewing,
Foster,
Freas,
Humphreys,
Jackson,
Kinsey,
Lloyd,
Marsh,

Mott,
Munson,
McDowell,
Robertson,
Seeley,
Townsend,
Toy,
Van Blarcom,
West—28.

NAYS.

Messrs. Bee,
Chandler,
Day,
Drake, sp.,

Dunham,
French,
Lake,
Stites,

Stryker,
Van Winkle,
Vroom,
Woodhull--12.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to promote the making of a turnpike road from Deckertown, in the county of Sussex, to the Delaware, nearly opposite to Milford, in the state of Pennsylvania,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Armstrong,
Barton,
Bee,
Capner,
Chandler,
Christie,
Clifford,
Cook,
Day,
Dodd,
Dunham,

Dunn,
Earl,
Foster,
Freas,
Jackson,
Kinsey,
Lake,
Lloyd,
Mott,
Munson,
McDowell,

Robertson,
Seeley,
Stites,
Stryker,
Townsend,
Toy,
Van Blarcom,
Van Winkle,
Vroom,
West,
Woodhull--34.

NAYS.

Messrs. Conover,
Drake, sp.,
Emley,

Ewing,
French,

Humphreys,
Marsh—7.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to incorporate certain tenants holding oyster beds under this state upon rent,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Barton,
Bee,
Capner,
Chandler,
Christie,
Clifford,
Cook,
Dunham,

Dunn,
Earl,
Emley,
Ewing,
Foster,
Jackson,
Kinsey,
Marsh,

Mott,
Munson,
Robertson,
Seeley,
Stites,
Stryker,
Toy,
Vroom—25.

NAYS.

Messrs. Archer,
Conover,
Day,
Drake, sp.,
Freas,

French,
Humphreys,
Lake,
Lloyd,
McDowell,

Townsend,
Van Blarcom,
Van Winkle,
Woodhull--14.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act for the encouragement of fire companies,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Archer,
Bee,
Chandler,
Christie,
Cook,
Day,
Dodd,
Dunn,

Earl,
Freas,
French,
Jackson,
Kinsey,
Lake,
Lloyd,
Marsh,

Mott,
McDowell,
Stites,
Stryker,
Toy,
Van Blarcom,
Vroom,
Woodhull--24.

NAYS.

Messrs. Armstrong,
Barton,
Capner,
Clifford,
Conover,
Drake, sp.,

Dunham,
Emley,
Ewing,
Foster,
Humphreys,
Munson,

Robertson,
Seeley,
Townsend,
Van Winkle,
West—17.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act for incorporating trustees of Trenton Lodge, No. 5,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Archer,	Dunn,	Marsh,
Armstrong,	Earl,	Mott,
Capner,	Emley,	Munson,
Chandler,	Ewing,	McDowell,
Christie,	Foster,	Robertson,
Conover,	Freas,	Seeley,
Cook,	French,	Toy,
Day,	Humphreys,	Van Blarcom,
Dodd,	Kinsey,	West,
Drake, sp.,	Lloyd,	Woodhull--31.
Dunham,		

NAYS.

Messrs. Barton,	Lake,	Vroom—5.
Bee,	Stryker,	

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to enable Garrabrant Van Riper and James Van Blarcom, or the survivor, his or their heirs or assigns, to erect a mill-dam across the river Passaic,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Archer,	Dunham,	Marsh,
Barton,	Dunn,	Mott,
Bee,	Earl,	Munson,
Capner,	Ewing,	McDowell,
Chandler,	Freas,	Robertson,
Christie,	French,	Seeley,
Clifford,	Kinsey,	Townsend,
Conover,	Lake,	Van Blarcom,
Cook,	Lloyd,	West—28.
Dodd,		

NAYS.

Messrs. Armstrong,	Humphreys,	Vroom,
Drake, sp.,	Stryker,	Woodhull---7.
Emley,		

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act further supplementary to an act entitled An act to incorporate a part of the township of Trenton, in the county of Hunterdon, passed November 13, 1792,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,	Dunn,	Mott,
Armstrong,	Earl,	Munson,
Barton,	Emley,	Robertson,
Bee,	Foster,	Seeley,
Capner,	Freas,	Stites,
Chandler,	French,	Stryker,
Christie,	Humphreys,	Townsend,
Clifford,	Jackson,	Toy,
Conover,	Kinsey,	Van Blarcom,
Day,	Lake,	Van Winkle,
Dodd,	Lloyd,	West,
Drake, sp.,	Marsh,	Woodhull--37.
Dunham,		

NAYS.

Messrs. Cook,	McDowell,	Vroom—4.
Ewing,		

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to divorce Maria Stafford from her husband Joseph B. Stafford,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,	Emley,	McDowell,
Bee,	Foster,	Robertson,
Capner,	Freas,	Seeley,
Christie,	Humphreys,	Stryker,
Clifford,	Jackson,	Townsend,
Cook,	Kinsey,	Toy,
Dunn,	Mott,	Van Blarcom,
Earl,	Munson,	[23.]

NAYS.

Messrs. Conover,	Lake,	Van Winkle,
Day,	Lloyd,	Vroom,
Drake, sp.,	Marsh,	West,
French,	Stites,	Woodhull--12.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to erect the village of New-Mills, in the county of Burlington, into a borough, to be called the Borough of Pemberton,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,	Earl,	Mott,
Barton,	Emley,	Munson,
Bee,	Ewing,	McDowell,
Capner,	Foster,	Seeley,
Chandler,	Freas,	Stites,
Christie,	French,	Stryker,
Conover,	Humphreys,	Toy,
Cook,	Jackson,	Van Blarcom,
Day,	Kinsey,	Van Winkle,
Dodd,	Lake,	Vroom,
Drake, sp.,	Lloyd,	West,
Dunn,	Marsh,	Woodhull—36.

NAYS.

Messrs. Armstrong,

Clifford—2.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

The engrossed bill entitled, An act to incorporate the New-Jersey Coal Company,

Was read.

On the question recurring, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Bee,	Earl,	Mott,
Capner,	Emley,	Seeley,
Christie,	Ewing,	Stites,
Cook,	Foster,	Toy,
Day,	Freas,	Van Blarcom.

Messrs. Dodd,
Drake, sp.,
Dunn,

Jackson,
Kinsey,
Lloyd,

Van Winkle,
Woodhull--25.

NAYS.

Messrs. Archer,
Armstrong,
Barton,
Clifford,
Conover,

French,
Humphreys,
Lake,
Marsh,

McDowell,
Robertson,
Stryker,
Vroom—13.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The House resumed the consideration of the bill entitled, An act to incorporate the President, Managers, and Company of the Navigation and Canal Company,

The first section of which was disagreed to, the bill dismissed, and, on motion, the applicants were permitted to withdraw their papers.

The bill entitled, A supplement to the act to build a toll-bridge over the Raritan river, at the city of New-Brunswick,

Was read a second time, considered by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act to authorize the chosen freeholders of the county of Monmouth to build a bridge over the North Branch of Neversink river,

Which was ordered to be engrossed.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act respecting the real estate of John Patrick, deceased,

With amendments—

To which amendments they request the concurrence of the House of Assembly;

Which amendments were read, agreed to, and the bill, as amended, ordered to be re-engrossed.

And the message informed, that the Council have passed a bill entitled, A further supplement to the act entitled An act respecting conveyances, and to to an act entitled An act to register mortgages—

To which bill they request the concurrence of the House of Assembly;

Which bill was read, and ordered a second reading.

And the message also informed, that the Council have passed the bill from the House of Assembly entitled, A supplement to an act entitled An act for the relief of the heirs of William Vibbert, deceased, and others,

With amendments—

To which amendments they request the concurrence of the House of Assembly;

Which amendments were read, agreed to, and the bill, as amended, ordered to be re-engrossed.

And the message further informed, that the Council have passed the bill from the House of Assembly entitled, A supplement to the act entitled An act for the preservation of sheep, passed the 9th day of June, 1820.

Without amendment.

The bill entitled, An act to prevent horse racing,

Was read a second time, and postponed.

The House adjourned to ten o'clock to-morrow morning.

WEDNESDAY, December 13.

Ten o'clock—the House met.

Mr. Robertson presented the petition of David Rockefeller and Joseph Ott, administrators of Joseph Rockefeller, deceased, praying for a law to sell lands in Warren county;

Which petition was read, and committed to Messrs. Robertson, Chandler, and Townsend.

Mr. French, from the committee on that subject,

Reported a bill entitled, A supplement to an act entitled An act to enable the owners and possessors of meadows and marsh, lying on Newton creek, in the county of Gloucester, to make and maintain a bank, dam, and necessary waterworks to stop the tide out of the said creek, and to keep the watercourse thereof open and clear, passed November 20, 1786;

Which bill was read, and ordered a second reading.

Mr. Bee, from the committee to whom was referred the petitions and remonstrances for and against the incorporation of the town of Camden, in Gloucester county, into a city,

Reported, That the petitioners have leave to present a bill on the second Tuesday of the next session of the legislature, they giving three months' previous notice in the newspaper published in Camden, and also in six of the most public places in the township of Newton, in said county, for the same length of time, in hand-bills, three within, and three without the limits of the boundaries applied for to be incorporated;

Which report was read, and agreed to.

The bill entitled, An act to incorporate the Farmers and Mechanics Bank of Rahway,

Was read a second time, and postponed.

The bill entitled, An act to divorce Sarah Morris from her husband Dennis Morris,

Was called up, and recommitted.

The re-engrossed bill entitled, An act respecting the real estate of John Patrick, deceased,

Was read and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

The re-engrossed bill entitled, A supplement to an act entitled An act for the relief of the heirs of William Vibbert, deceased, and others,

Was read and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bills to Council, inform them that the amendments made thereto by Council have been agreed to by this House, and that they have caused said bills to be re-engrossed.

The engrossed bill entitled, A further supplement to an act entitled An act for the preservation of deer and other game, and to prevent trespassing with guns, passed December 21, 1771,

Was read a third time, and compared.

On the question recurring, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,	Drake, sp.,	Mott,
Barton,	Dunham,	Munson,
Bee,	Dunn,	Stites.
Chandler,	Earl,	Stryker,
Christie,	Emley,	Toy,
Clifford,	Freas,	Van Blarcom.
Conover,	Jackson,	Van Winkle.
Day,	Kinsey,	Vroom,
Dickerson,	Lloyd,	West.
Dodd,	Marsh,	Woodhull--56

NAYS.

Messrs. Armstrong,	Foster,	Lake,
Capner,	French,	Seeley,
Cook,	Humphreys,	Townsend,
Ewing,		[10.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act for the relief of the New-Jersey Delaware Oyster Company, and for the protection of the oyster beds in Delaware bay,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Archer,	Dunn,	Munson,
Armstrong,	Earl,	Robertson,
Barton,	Emley,	Seeley,
Bee,	Ewing,	Stites,
Capner,	Foster,	Stryker,
Chandler,	Jackson,	Townsend,
Dickerson,	Kinsey,	Toy,
Dodd,	Marsh,	Van Blarcom,
Drake, sp.,	Mott,	Vroom—28.
Dunham,		

NAYS.

Messrs. Christie,	Freas,	Lloyd,
Clifford,	French,	McDowell.
Conover,	Humphreys,	Van Winkle,
Cook,	Lake,	West—13.
Day,		

Ordered, That the speaker sign the same.

The engrossed bill entitled, A supplement to the act to build a toll bridge over the river Raritan, at the city of New-Brunswick,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Bee,	Emley,	McDowell,
Capner,	Freas,	Stryker,
Christie,	French,	Townsend,
Conover,	Humphreys,	Toy,
Cook,	Kinsey,	Vroom,
Dunham,	Lake,	West,
Dunn,	Lloyd,	Woodhull--23.
Earl,	Mott,	

NAYS.

Messrs. Archer,	Dodd,	Munson,
Armstrong,	Drake, sp.,	Robertson,
Barton,	Ewing,	Seeley,
Chandler,	Foster,	Stites,
Clifford,	Jackson,	Van Blarcom,
Day,	Marsh,	Van Winkle,
Dickerson,		

The engrossed bill entitled, An act to authorize the chosen freeholders in the county of Monmouth to build a bridge over the North Branch of Neversink river,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,	Earl,	Munson,
Armstrong,	Emley,	McDowell,
Barton,	Ewing,	Robertson,
Bee,	Foster,	Seeley,
Capner,	Freas,	Stites,
Chandler,	French,	Stryker,
Christie,	Humphreys,	Townsend,
Clifford,	Jackson,	Toy,
Conover,	Kinsey,	Van Blarcom,
Cook,	Lake,	Van Winkle,
Day,	Lloyd,	Vroom,
Dickerson,	Marsh,	West,
Dunham,	Mott,	Woodhull--40.
Dunn,		

NAYS.

Messrs. Dodd, Drake, sp.—2.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to authorize the treasurer of this state to loan surplus money, and for other purposes,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,	Drake, sp.,	Lloyd,
Armstrong,	Dunn,	Marsh,
Barton,	Earl,	Munson,
Bee,	Emley,	Robertson,
Capner,	Ewing,	Seeley,
Chandler,	Foster,	Stites,
Christie,	French,	Townsend,
Clifford,	Humphreys,	Toy,
Conover,	Jackson,	Van Blarcom,
Day,	Kinsey,	West,
Dickerson,	Lake,	Woodhull--34.
Dodd,		

NAYS.

Messrs. Cook,	Mott,	Van Winkle,
Dunham,	McDowell,	Vroom--8.

Ordered. That the speaker sign the same.

The engrossed bill entitled, An act to dissolve the marriage contract between George W. Shannon and Mary Ann Shannon his wife, Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,	Dunn,	Marsh,
Bee,	Earl,	Mott,
Capner,	Emley,	Munson,
Clifford,	Ewing,	Robertson,
Cook,	Foster,	Seeley,
Day,	Freas,	Stites,
Dickerson,	Humphreys,	Stryker,
Dodd,	Jackson,	Townsend,
Drake, sp.,	Kinsey,	Van Blarcom,
Dunham,	Lloyd,	[29.

NAYS.

Messrs. Chandler,	Lake,	Vroom,
Christie,	Toy,	West,
Conover,	Van Winkle,	Woodhull--10.
French,		

Ordered. That the speaker sign the same.

Ordered. That the clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The speaker laid before the House the following communication from the governor:

EXECUTIVE DEPARTMENT, December 7, 1826.

To the Legislative Council and General Assembly.

I now transmit to both Houses of the legislature, in compliance with the request of the governor of the state of Louisiana, a resolution of the senate and representatives of that state, disagreeing to certain resolutions adopted by the General Assembly of Ohio, proposing a plan for the gradual emancipation of slavery.

ISAAC H. WILLIAMSON.

Which communication, with the accompanying document, was read, and together ordered to lie on the table.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

concerning taxes, passed the 10th day of June, 1799, and to the act entitled, An act designating the taxable property within the state of New-Jersey, passed the 9th day of March, 1801;

Which bill was read, ordered a second reading, and to be printed.

Mr. Christie, from the committee to whom was referred the report and accompanying documents of Samuel Pennington, esq., the present agent for the state, having in charge the care and agency of the state lands at Paterson,

Reported. That they have carefully examined the said report and accompanying documents, by which it appears, that the said lands are at present very unproductive, and realize very little to the state in their present state of cultivation, as will appear by a statement made thereof by your said committee, hereunto annexed; and by a recommendation contained in the last paragraph of the report of your commissioner or agent, recommending the propriety of selling the said lands. The committee, after due reflection upon the subject, beg leave to present a bill for the sale of the state lands at Paterson;

Which report was read:

Whereupon Mr. Christie, in pursuance thereof, presented a bill entitled, An act for the sale of the state lands at Paterson;

Which bill was read, ordered a second reading, and to be printed: and the report and statement ordered to lie on the table.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act to incorporate the Franklin Copper Mining Company,

With amendments—

To which amendments they request the concurrence of the House of Assembly;

Which amendments were read, agreed to, and the bill, as amended, ordered to be re-engrossed.

And the message informed, that the Council have passed a bill entitled, An act establishing an independent battalion in the county of Salem,

To which bill they request the concurrence of the House of Assembly;

Which bill was read, and ordered a second reading.

And the message also informed, that the Council have disagreed to the bill from the House of Assembly entitled, An act to incorporate the New-Jersey Coal Company; and that the Council have passed the preamble and resolutions from the House relative to certain unavailable balances standing on the books of the treasurer,

Without amendment.

The House resumed the consideration of the bill entitled, An act to authorize Maria Thompson, administratrix, and Mark Thompson, administrator, of Robert C. Thompson, late of the county of Warren, deceased, to convey certain real estate to Jacob Pence, Frederick Lance, Jacob Swackhamer, Abraham Castner, and Pe-

ter Baylor; and also to sell and convey other lands of the said Robert C. Thompson, deceased, for the payment of debts;

Which was gone through with by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, A supplement to An act to establish an independent regiment of horse artillery, passed December 5, 1823;

Which was gone through with by section, and ordered to be engrossed.

The bill entitled, An act to change the time of the regimental musters of the Warren brigade,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill entitled, An act establishing an independent battalion within the bounds of the first regiment of the Burlington brigade,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill entitled, An act to authorize the treasurer of the state to transfer certain stocks,

Was read a second time, and postponed.

On motion of Mr. Kinsey, that a committee be appointed to examine the files of the House, and ascertain and report the business necessary and proper to be acted on during the present session, Messrs. Kinsey, Toy, and Capner were accordingly appointed.

The bill entitled, An act further to amend the judicial system of this State,

Was read a second time, the first section disagreed to, and the bill dismissed.

The House adjourned to ten o'clock to-morrow morning.

THURSDAY, December 14.

Ten o'clock—the House met.

Mr. Stites presented the petition of Peter Morris, Daniel Stansbury, Henry Shell, and their associates, praying to be incorporated under the name and style of the Essex county Manufacturing Company;

Which petition was read, and committed to Messrs. Stites, Bee, and Lloyd.

Mr. Dodd, from the committee to whom was referred the memorial of the Board of Trustees of Rutgers College,

Reported, That they have examined the agreement entered into between the Board of Trustees and John B. Yates and Archibald McIntyre, managers, appointed by them to raise the sum of twenty-five thousand dollars, by way of lottery (a copy of which accompanies this report); that there have been seven classes drawn,

amounting to \$336,997, five per cent. upon which sum makes \$16,850, when an injunction was issued, and all future drawings prohibited; that \$5000 was paid by the said trustees into the treasury of this state. The trustees insist, that the act granting to them power to raise, by way of lottery, \$25,000, contemplated that when the state received \$5000, the trustees were to receive \$20,000; and inasmuch as the trustees have received only \$16,850, instead of \$25,000, they pray that the proportion of the \$5000 paid by them into the treasury, more than the act contemplated, should be the proportion receivable by the state, may be returned; and the committee herewith report a bill to that effect;

Which bill, entitled, An act to repay the Board of Trustees of Rutgers College a part of the sum of five thousand dollars, paid by them into the treasury of this state,

Was read, and ordered a second reading; and the report and documents ordered to lie on the table.

Mr. Lake, from the committee to whom was referred No. 7, of unfinished business, being a petition and report relative to the construction of a canal from Middle River to Tuckahoe River, in the county of Gloucester,

Reported, That they having had the same under consideration, and finding that by a former report, made to this House on the first day of December, A. D. 1825, as per former Minutes, page 139, "that the applicants have liberty to present a bill on that subject on the second Tuesday of the next session of the legislature, by advertising their intentions so to do for four weeks previously in the Camden Star and Woodbury Herald"; which condition the committee, on examination, find has not been complied with, and therefore are of opinion, that the subject be dismissed;

Which report was read, and agreed to.

The House resumed the consideration of the bill entitled, An act concerning roads, passed the 9th February, 1818,

When the question for engrossing the same was decided in the negative, and, on motion, the bill was dismissed.

The House resumed the consideration of the bill entitled, An act relative to insurance companies;

Which was gone through by section, and, on the question of engrossing the same, the yeas and nays being required, were as follows:

YEAS.

Messrs. Armstrong,
Barton,
Capner,
Chandler,
Christie,
Clifford,
Conover,
Day,
Dickerson,
Dodd,

Earl,
Emley,
Ewing,
Foster,
Jackson,
Kinsey,
Lloyd,
Marsh,
Mott,

Munson.
Robertson.
Seeley,
Stites,
Townsend,
Toy,
Van Blarcom,
Van Winkle,
Woodhull--28.

NAYS.

Messrs. Archer,
Bee,
Cook,
Drake, sp.,
Dunham,

Dunn,
French,
Humphreys,
Lake,

McDowell,
Stryker,
Vroom,
West—13.

So the said bill was ordered to be engrossed.

The re-engrossed bill entitled, An act to incorporate the Franklin Copper Mining Company,

Was read, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Armstrong,
Barton,
Bee,
Capner,
Chandler,
Christie,
Clifford,
Cook,
Day,
Dickerson,
Dodd,

Drake, sp.,
Dunham,
Dunn,
Emley,
Ewing,
Foster,
Jackson,
Kinsey,
Lake,
Lloyd,
Marsh,
Mott,

Munson,
McDowell,
Robertson,
Seeley,
Stryker,
Townsend,
Toy,
Van Blarcom,
Van Winkle,
Vroom,
West—35.

NAYS.

Messrs. Conover,

Freas,

French—3.

Ordered. That the speaker sign the same.

Ordered. That the clerk carry said bill to Council, inform them that the amendments made thereto by Council have been agreed to by this House, and that they have caused said bill to be re-engrossed.

The engrossed bill entitled. A supplement to an act entitled An act to establish an independent regiment of horse artillery, passed December 5, 1823,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Barton,
Bee,
Capner,

Chandler,
Christie,
Clifford,
Conover,

Cook,
Day,
Dickerson,
Dodd.

Messrs. Drake, sp.,
Dunn,
Earl,
Ewing,
Foster,
Freas,
Humphreys,
Jackson,

Kinsey,
Lloyd,
Marsh,
Mott,
Munson,
McDowell,
Robertson,

Seeley,
Stites,
Stryker,
Townsend,
Toy,
Van Blarcom,
West—34.

NAYS.

Messrs. Armstrong,
Dunham,

Van Winkle,

Vroom—4.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act establishing an independent battalion within the bounds of the first regiment of the Burlington brigade,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Barton,
Bee,
Capner,
Chandler,
Christie,
Clifford,
Conover,
Cook,
Day,
Dickerson,

Dodd,
Drake, sp.,
Dunham,
Dunn,
Earl,
Ewing,
Foster,
Freas,
Humphreys,
Jackson,
Kinsey,

Lloyd,
Mott,
McDowell,
Seeley,
Stites,
Stryker,
Townsend,
Toy,
Van Blarcom,
Van Winkle,
West—33.

NAYS.

Messrs. Armstrong,
Lake,

Marsh,
Munson,

Vroom—5.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to change the times of the regimental musters of the Warren brigade,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Armstrong,
Barton,

Bee,
Capner,
Chandler.

Christie,
Clifford,
Conover,

Messrs. Day,
Dickerson,
Dodd,
Drake, sp.,
Dunham,
Dunn,
Earl,
Emley,
Ewing,

Foster,
Freas,
Humphreys,
Jackson,
Kinsey,
Lloyd,
Marsh,
Mott,
Munson,

McDowell,
Robertson,
Seeley,
Stryker,
Townsend,
Toy,
Van Blarcom,
Van Winkle,
Vroom—36.

NAY.

Mr. Cook.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The bill from Council entitled, An act establishing an independent battalion in the county of Salem,

Was read a second time, gone through by section, and ordered a third reading.

The House took up the bill from Council entitled, An additional supplement to the act entitled An act constituting courts for the trial of small causes, together with the amendments made thereto in committee, and reported to the House,

Part of which amendments were agreed to, and part disagreed to, the bill gone through by section, and, as amended, ordered a third reading.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed a bill entitled, An act to change the time of holding courts in the county of Warren,

To which bill they request the concurrence of the House of Assembly;

Which bill was read, and ordered a second reading.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Van Blarcom presented the petition of John Begbie, of Essex county, praying to be exonerated from the payment of a penalty, and costs, incurred by the selling of liquor by small measure, and the repeal of the act prohibiting such sales;

Which petition was read, and committed to Messrs. Van Blarcom, West, and Foster.

Mr. Day, from the committee to whom was referred No. 6, of unfinished business, a bill entitled, An act to incorporate the Mechanics Bank of Orange,

Reported the same, without amendment;

Which bill was read, and ordered a second reading.

Mr. Archer, from the committee to whom was recommended the bill entitled, An act supplementary to an act entitled An act to regulate fees, passed June 13, 1799, and to repeal certain coroners' fees,

Reported the same, without amendment;

Which bill, on motion, was dismissed.

Mr. Archer also reported, as a substitute for the foregoing, a bill entitled, An act concerning coroners;

Which bill was read, ordered a second reading, and to be printed.

Mr. Kinsey, from the committee appointed to examine and report what business is before the House,

Reported the following list of unfinished business:

No. 1. A supplement to the act establishing a military system.

No. 2. A bill to incorporate the Farmers and Mechanics Bank at Rahway.

No. 3. A bill to authorize weirs and fish baskets.

No. 4. An act to prevent horse racing.

No. 5. An act to incorporate the New-Brunswick Insurance Company.

No. 6. An act supplementary to an Act for regulating fees.

No. 7. An act concerning fisheries.

No. 8. A supplement to the act constituting courts for the trial of small causes.

No. 9. An act to extend the powers of justices of the peace.

No. 10. An act to promote the making a turnpike road from Deckertown to the Delaware river, opposite Milford.

No. 11. An act concerning bank incorporations.

No. 12. An act to incorporate the Dover Manufacturing Company.

No. 13. An act concerning free people of color.

No. 14. An act to incorporate a company to improve the navigation of the river Delaware.

No. 15. An act to divorce Ann Coward from her husband Thomas Coward.

No. 16. An act for the relief of William McKissack.

No. 17. An act for the relief of John N. Simpson.

No. 18. A supplement to the act concerning landlords and tenants.

No. 19. An act to authorize Cornelius Skillman to sell real estate.

No. 20. An act relative to the Fire Department of the city of New-Brunswick.

No. 21. An act relative to insurance companies.

No. 22. An act to incorporate the Lodi Bank Meadow Company.

No. 23. An act for the formation of a new county from part of the counties of Essex, Bergen, and Morris, to be called the county of Paterson.

No. 24. An act for erecting the county of Pompton from parts of Bergen and Morris.

No. 25. An act to render Crosswicks creek navigable.

No. 26. An act to facilitate the education of youth.

No. 27. An act to authorize the treasurer to transfer certain stocks.

No. 28. A supplement to an Act to enable the owners of meadows and marsh on Newton and Gloucester creeks to make and maintain a dam and other works.

No. 29. An act to promote literature.

No. 30. An act to repay to the board of trustees of Rutgers College a part of the sum of five thousand dollars, paid by them into the treasury of this state.

No. 31. An act to authorize the sale of state lands at Paterson.

No. 32. A supplement to the act concerning taxes, and designating the taxable property within this state.

No. 33. An act to raise — thousand dollars for the year 1827.

No. 34. An act for the better regulating the cavalry of this state.

No. 35. An act for districting the state for choosing representatives to congress, electors of president and vice-president.

BILLS FROM COUNCIL.

No. 36. An act to establish an independent battalion in the county of Salem.

No. 37. An act to amend an Act to prevent horse racing.

No. 38. An act to provide for repairing the government house.

No. 39. An act for the more equal representation of the several counties of this state in the General Assembly.

No. 40. A supplement to the act respecting conveyances.

No. 41. An act relative to the degree of doctor of medicine.

No. 42. A supplement to the act constituting courts for the trial of small causes.

No. 43. An act to incorporate the Mechanics Bank at Orange.

RESOLUTIONS AND REPORTS.

No. 1. A report of the joint-committee on the state-prison accounts.

No. 2. A resolution for the establishment of free schools.

No. 3. A resolution relative to the school fund.

No. 4. A resolution for the speaker to convene the legislature.

No. 5. A resolution directing the treasurer to call on the President of the State Bank at Newark for \$100, due for tax.

No. 6. A report of the committee on the report of commissioners, appointed by law, to provide for the safe keeping of the records in the surveyor-general's office.

No. 7. A report of the Delaware and Raritan Canal Company.

Which report was read, and ordered to lie on the table.

The bill entitled, An act to incorporate the Lodi Bank Meadow Company,

Was called up, and dismissed.

The resolution for directing the treasurer to call on the President of the State Bank at Newark, for a balance of \$100, alleged to be due to the state for tax,

Was called up, and withdrawn.

The bill entitled, An act to incorporate the Dover Manufacturing Company,

Was read a second time, and postponed.

The House resumed the consideration of the bill entitled, An act to prevent horse racing,

And on the question of agreeing to the first section of the same, the yeas and nays being required, were as follow :

YEAS.

Messrs. Archer,
Barton,
Christie,
Clifford,
Conover,
Cook,
Dickerson,

Dodd,
Dunn,
Freas,
Humphreys,
Jackson,
Kinsey,

Lloyd,
McDowell,
Stites,
Van Winkle,
West,
Woodhull--19.

NAYS.

Messrs. Armstrong,
Bee,
Capner,
Chandler,
Day,
Drake, sp.,
Dunham,
Earl,

Emley,
Ewing,
Foster,
French,
Lake,
Marsh,
Mott,
Munson,

Robertson,
Seeley,
Stryker,
Townsend,
Toy,
Van Blarcom,
Vroom--23.

So the first section of said bill was disagreed to, and the bill dismissed.

The House resumed the consideration of the bill from Council entitled, An act to provide for the more equal and just representation of the several counties of this state in the General Assembly,

When, after spending some time therein, and while under consideration,

The House adjourned to ten o'clock to-morrow morning.

FRIDAY, December 15.

Ten o'clock—the House met.

Mr. Stites, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to incorporate the Essex county Manufacturing Company;

Which bill was read, and ordered a second reading.

Mr. Kinsey, from the committee to whom was referred the petition of the stockholders, also the petition of the bank-bill holders, and the memorial of the Directors of the New-Jersey Protection and Lombard Bank,

Reported, That having attentively heard the arguments of the several petitioners and memorialists, and examined the statements exhibited to them, that it is inexpedient to legislate further on the subject at this time; and that the applicants have leave to withdraw their papers;

Which report was read, and agreed to.

Mr. Dunham, with leave, presented a bill entitled, An act to repeal a part of an act therein named;

Which bill was read, ordered a second reading, and to be printed.

Mr. Toy submitted the following resolution:

Resolved, That during the remainder of the present sitting of the legislature, the Assembly room shall be kept open and lighted until nine o'clock in the evening of each day the House may be in session;

Which resolution was read, and agreed to.

The bill entitled, An act to incorporate the New-Brunswick Insurance Company,

Was read a second time, gone through by section, and ordered to be engrossed.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act to divorce Mary Ann Boyd from her husband James Boyd;

The bill entitled, An act to divorce Abigail H. Pearsall from her husband Peter R. Pearsall;

The bill entitled, An act for the encouragement of fire companies;

The bill entitled, An act to authorize the chosen freeholders of the county of Monmouth to build a bridge over the North Branch of Neversink river; and

The bill entitled, An act further supplementary to an act entitled An act to incorporate a part of the township of Trenton, in the county of Hunterdon, passed November 13, 1792,

Respectively, without amendment.

And that the Council have disagreed to the bill from the House of Assembly entitled, An act relative to jurors; and to the bill entitled, An act to incorporate the Bergen Insurance Company.

The House took up the report of the joint-committee of Council and Assembly, on the subject of the state-prison accounts;

Which report was read, and the resolution forming a part of said report, altered so as to read,

Resolved, That a joint-committee be appointed to inquire into the expediency of directing an immediate sale of such articles as are no

longer useful to the institution; and also to inquire what changes it may be expedient to make in the act entitled, An act for the punishment of crimes, passed March 18, 1796, and the several supplements thereto.

Thus amended, the report and resolution were agreed to, Messrs. Kinsey, McDowell, and Toy appointed a committee on the part of the House, to carry the said resolution into effect, and the clerk ordered to inform Council of the agreement of the House to said report and resolution, and the appointment of the aforesaid committee; and to request Council to concur in the said report and resolutions, and to appoint a correspondent committee.

The House resumed the consideration of the bill entitled, An act to authorize the treasurer of the state to transfer certain stocks;

When, the first section being under consideration, a motion was made for striking out that part of the said section which provides for the payment to the Delaware and Raritan Canal Company the interest that had accrued on the bonus of \$100,000, and the yeas and nays being required thereon, were as follow:

YEAS.

Messrs. Clifford,	Humphreys,	Stryker,
Conover,	Kinsey,	Toy,
Day,	Lake,	Van Winkle,
Freas,	Lloyd,	West,
French,	Mott,	Woodhull--17.
Green,	Seeley,	

NAYS.

Messrs. Archer,	Dunham,	Marsh,
Armstrong,	Dunn,	Munson,
Bee,	Earl,	Robertson,
Chandler,	Emley,	Stites,
Dickerson,	Ewing,	Townsend,
Dodd,	Foster,	Van Blarcom,
Drake, sp.,	Jackson,	Vroom--21.

So that part of the first section was not stricken out.

The question then was submitted, on agreeing to the first section of said bill, and the yeas and nays, being required, were as follow:

YEAS.

Messrs. Archer,	Drake, sp.,	Jackson,
Armstrong,	Dunham,	Marsh,
Chandler,	Dunn,	Munson,
Cook,	Earl,	Robertson,
Day,	Emley,	Stites,
Dickerson,	Ewing,	Townsend,
Dodd,	Foster,	Toy--21.

NAYS.

Messrs. Barton,	Green,	Stryker,
Bee,	Humphreys,	Van Blarcom,
Capner,	Kinsey,	Van Winkle,
Christie,	Lake,	Vroom,
Conover,	Lloyd,	West,
Freas,	Mott,	Woodhull--20.
French,	Seeley,	

So the first section was agreed to.

The bill was then gone through by section, and on the question of engrossing the same, the yeas and nays, being required, were as follow:

YEAS.

Messrs. Archer,	Drake, sp.,	Jackson,
Armstrong,	Dunham,	Marsh,
Chandler,	Dunn,	Munson,
Cook,	Earl,	Robertson,
Day,	Emley,	Stites,
Dickerson,	Ewing,	Townsend,
Dodd,	Foster,	Toy—21.

NAYS.

Messrs. Barton,	French,	Seeley,
Bee,	Green,	Stryker,
Capner,	Humphreys,	Van Blarcom,
Christie,	Kinsey,	Van Winkle,
Clifford,	Lake,	Vroom,
Conover,	Lloyd,	West,
Freas,	Mott,	Woodhull--21.

From which, it appearing that there was not a majority of votes in favor of engrossing said bill, the vote for engrossing was decided in the negative, and the bill was consequently lost.

The House adjourned to three o'clock in the afternoon.



Three o'clock—the House met.

Mr. Robertson, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to authorize David Rockefeller and Joseph Ott, administrators of Joseph Rockefeller, deceased, to convey certain real estate to John Merrit;

Which bill was read, and ordered a second reading.

The bill entitled, An act to authorize the erection of weirs and fish-baskets in the river Delaware, under certain regulations.

Was read a second time, progressed in by section, and postponed.
The bill from Council entitled, An act to change the time of holding courts in the county of Warren,

Was read a second time, considered by section, and ordered a third reading.

The bill from Council entitled, An act providing for the repairs of the government house,

Was read a second time, considered by section, and ordered a third reading.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act to authorize Rebecca Snowhill, widow of George Snowhill, deceased, to make sale of certain real estate; and the bill from the House entitled. An act to appoint commissioners to sell and convey real estate for the purposes therein expressed,

Without amendment.

And that the Council have passed a bill entitled, An act to make the property of turnpike companies, or corporations, liable to sale on judgment and execution;

Which bill was read, and ordered a second reading.

The bill from Council entitled, An act for establishing an independent battalion in the county of Salem,

Was read a third time.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, and inform them that the House have passed it without amendment.

The bill from Council entitled, Additional supplement to the act entitled An act constituting courts for the trial of small causes,

Was read a third time, as amended.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Archer,
Barton,
Bee,
Capner,
Chandler,
Clifford,
Cook,

Drake, sp.,
Dunham,
Dunn,
Earl,
Foster,
Freas,
French,

Mott,
Munson,
Seeley,
Toy,
Van Blarcom,
Vroom,
Woodhull--21.

NAYS.

Messrs. Armstrong,
Christie,
Day,

Emley,
Ewing,
Green.

Humphreys,
Kinsey,
Lloyd.

Messrs. Marsh,
McDowell,
Robertson,

Stryker,
Townsend,

Van Winkle,
West—16.

Ordered, That the clerk inform Council, that the House have disagreed to said bill.

The bill entitled, An act for the sale of the state lands at Pater-son.

Was read a second time. and, while under consideration,

The House adjourned to ten o'clock to-morrow morning.

SATURDAY, December 16.

Ten o'clock—the House met.

Mr. Woodhull presented the memorial of David Clarkson, in behalf of himself and others, *bona fide* stockholders of the New-Jersey Protection and Lombard Bank, praying the restoration of the charter of said bank, under such regulations and restrictions as the legislature may think proper to impose;

Which memorial was read, and committed to Messrs. Woodhull, Toy, and Marsh.

Mr. Archer, from the committee on that subject,

Reported a bill entitled, An act to augment the fund for the support of free schools;

Which bill was read, ordered a second reading, and to be printed.

Mr. Day, with leave, presented a bill entitled, An act to incorporate the Fulton Navigation Company;

Which bill was read, and ordered a second reading.

Mr. Green, with leave, presented a bill entitled, An act to incorporate the New-Jersey Canal Company;

Which bill was read, and ordered a second reading.

The House resumed the consideration of the bill entitled, An act to incorporate a company for the purpose of rendering the Cross-wicks creek navigable;

Which was progressed in, and postponed.

The House resumed the consideration of the bill entitled, An act to authorize Cornelius Skillman and William Golden to sell certain real estate;

Which was gone through with by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act concerning banking corporations, or bodies politic;

Which was gone through with by section, and ordered to be engrossed.

The bill entitled, An act to repay to the Board of Trustees of

Rutgers College a part of the sum of five thousand dollars, paid by them into the treasury of this state.

Was read a second time, considered by section, and ordered to be engrossed.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Woodhull, from the committee on the petition on that subject,

Reported a bill entitled, An act to revive the charter of the New-Jersey Protection and Lombard Bank, with further restrictions thereon;

Which bill was read, and ordered a second reading.

Mr. Green, from the committee to whom was referred the petitions of sundry inhabitants of the counties of Somerset and Middlesex, praying that the boundary or division line between the said counties should be altered in certain places,

Reported, That the applicants have leave to present a bill on that subject, on the second Wednesday of the next session of the legislature, by advertising their intention so to do for four weeks previously, in one of the newspapers printed in the city of New-Brunswick;

Which report was read, and agreed to.

Mr. Seeley, from the committee to whom was referred the petition of Ichabod Lore, praying for a law to exempt his meadow, situate in the county of Cumberland, and included within the bounds of the Friendship Meadow Company, from the management and control of said company,

Reported, That the said petitioners have leave to present a bill for that purpose on the second Wednesday of the next session of the legislature, on his giving four weeks' previous notice in one of the newspapers printed at Bridgeton, in the said county, of his intention so to do;

Which report was read, and agreed to.

The speaker laid before the House the following communication from the governor:

EXECUTIVE DEPARTMENT, Trenton, December 16, 1826.

To the Legislative Council and General Assembly.

I have received, by last night's mail, and hasten to lay before you, a communication from the Honorable Ezekiel Chambers, Robert H. Goldsborough, and Archibald Lee, deputies appointed by the General Assembly of the state of Maryland, for the purpose of procuring from the legislature of the state of New-Jersey such aid,

by legislative provisions or otherwise, as may be most effectual for the recovery of persons bound to or owing service or labor to citizens of Maryland, who have absconded, or shall abscond from their owners, and flee into the state of New-Jersey.

It is to be regretted that this subject should not have been presented to your consideration at an earlier period of the session; but as the complaint comes from so respectable a source, and a redress of the grievance is considered of the greatest importance to the interest of a sister state, I consider it my duty to recommend the subject to your serious consideration, and I do it in perfect confidence, that the legislature will manifest, on this occasion, a sincere disposition to protect the rights of the citizens of Maryland to the labor or service of such persons as shall abscond from that state, and flee into New-Jersey, and to afford such aid for the recovery of them, as can be done consistent with the rights which every person resident here has to the protection of our laws and government.

ISAAC H. WILLIAMSON.

Which communication, together with that addressed to the governor on the subject, and the authenticated copy of the authority under which the deputies acted,

Were read, and ordered to lie on the table.

The bill entitled, An act for the relief of John N. Simpson,

Was read a second time, considered by section, and ordered to be engrossed.

The bill entitled, An act concerning coroners,

Was read a second time, progressed in, and postponed.

The bill from Council entitled, An act to change the time of holding the courts in the county of Warren,

Was read a third time.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

Ordered, That the clerk inform Council, that the House have passed said bill,

Without amendment.

The resolution submitted by Mr. Green, on the 18th ult., empowering the speaker to convene the legislature at any time when any extraordinary occasion shall, in his opinion, render it necessary,

Was called up, read, and agreed to.

The House adjourned to ten o'clock on Monday morning.

MONDAY, December 18.

Ten o'clock—the House met.

Mr. Day presented the petition of William P. Hallett and others, praying to be incorporated for the purpose of manufacturing woollen, worsted, cotton, and silk goods, and printing the same, to be styled the Rabway Manufacturing Company;

Which petition was read, and committed to Messrs. Day, Donn, and Conover.

The communication of the governor, covering an application from the government of the state of Maryland, for the passage of a law to enable the owners of fugitive slaves, who escape to this state, to recover the same, &c.,

Was called up, and, with the accompanying documents, committed to Messrs. Ewing, McDowell, and Kinsey.

The bill entitled, An act to authorize David Rockefeller and Joseph Ott, administrators of Joseph Rockefeller, deceased, to convey certain real estate to John Merrit,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill entitled, An act to augment the fund for the support of free schools,

Was read a second time, and postponed.

The bill entitled, An act to repeal part of an act therein named,

Was read a second time, and postponed.

The House resumed the consideration of the bill entitled, An act concerning fisheries;

Which was ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act concerning coroners;

Which was gone through by section, the title disagreed to, and the bill dismissed.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act to erect the village of New-Mills, in the county of Burlington, into a borough, to be called Pemberton, and

The bill from the House entitled, An act to promote the making of a turnpike road from Deckertown, in the county of Sussex, to the Delaware, nearly opposite to Milford, in the state of Pennsylvania,

Without amendment.

And that the Council have disagreed to the bill from the House of Assembly entitled, An act to incorporate the Columbian Steam-Boat Company, and

Also to the bill from the House of Assembly entitled, An act to enable Garrabraut Van Riper and James Van Blarcom, or the

survivor, his or their heirs or assigns, to erect a mill-dam across the river Passaic;

And that the Council have passed a bill entitled, A supplement to the act entitled An act to provide for the publication and distribution of the laws and proceedings of the legislature of this state and of the United States—

To which bill they request the concurrence of the House of Assembly;

Which bill was read, and ordered a second reading.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Woodhull presented the Monmouth county abstract;

Which was ordered to lie on the table.

Mr. Day, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to incorporate the Rahway Manufacturing Company;

Which bill was read, and ordered a second reading.

Mr. Lloyd, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, A further supplement to the acts concerning oysters;

Which bill was read, ordered a second reading, and to be printed.

Mr. Kinsey, with leave, presented a bill entitled, An act appointing commissioners to examine and report on the situation of the several banks in this state;

Which bill was read, ordered a second reading, and to be printed.

The bill entitled, An act to divorce Ann Coward from her husband Thomas Coward, jun.,

Was read a second time, with the accompanying documents, considered by section, and ordered to be engrossed.

The House resumed the consideration of the resolution concerning the time of the rising of the House;

Which was made to read as follows:

Resolved, That this House will rise on Thursday, the 28th day of December, instant;

Which resolution was then agreed to.

Mr. Ewing submitted the following resolution:

Resolved, That the clerk inform Council, that this House is ready to go into a joint-meeting, for the purpose of appointing a second and third judges of the Supreme Court, and such other civil and military officers as may be deemed expedient—and request Council to appoint the time and place of said meeting;

Which resolution was read, agreed to, and the clerk ordered to inform Council accordingly.

The bill entitled, An act to incorporate the Mechanics Bank of Orange,

Was read a second time, and postponed.

The bill entitled, A further supplement to An act establishing a military system, passed February the eighteenth, eighteen hundred and fifteen,

Was read a second time, the second, third, and fourth sections, and the title, disagreed to, and the bill dismissed.

The House took up the list of unfinished business, a part of which was disposed of as follows:

The bill entitled, An act supplementary to an act entitled An act to regulate fees, passed 13th June, 1799, and to repeal certain coroners' fees;

The bill entitled, An act for erecting the county of Pompton from parts of the counties of Bergen and Morris;

The bill entitled, An act for the formation of a new county from parts of the counties of Essex, Bergen, and Morris, to be called the county of Paterson;

The bill entitled, A further supplement to the act entitled An act constituting courts for the trial of small causes;

And the bill entitled, An act to extend the powers and duties of justices of the peace in the several counties of this state, in certain cases,

Were severally called up, and dismissed.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act for the relief of the New-Jersey Delaware Oyster Company, and for the protection of the oyster beds in Delaware bay,

With amendments—

To which amendments they request the concurrence of the House of Assembly;

Which amendments were read, agreed to, and the bill, as amended, ordered to be re-engrossed.

And the message informed, that the Council have disagreed to the bill from the House of Assembly entitled, A further supplement to an act entitled An act for the preservation of deer and other game, and to prevent trespassing with guns, passed December 21, 1771.

And the message also informed, that the Council have passed the bill from the House of Assembly entitled, An act to authorize the treasurer of this state to loan surplus money, and for other purposes.

With an amendment;

Which amendment was read, agreed to, and the bill, as amended, ordered to be re-engrossed.

And the message further informed, that the Council have disagreed to the bill from the House of Assembly entitled, A supple-

ment to an act to build a toll-bridge over the Raritan river, at the city of New-Brunswick.

The House adjourned to ten o'clock to-morrow morning.

TUESDAY, December 19.

Ten o'clock—the House met.

Mr. Van Winkle, from the committee to whom was referred No. 31, of unfinished business, a petition and report concerning the indiscriminate pasturage of salt marsh and meadow, situate in the forks of Berrys creek and Hackensack river, in the township of New-Barbadoes, in the county of Bergen,

Reported, That the applicants, not having complied with the requirements of the report of the committee of a former session of the legislature, have leave to withdraw their papers;

Which report was read, and agreed to.

Mr. Foster, with leave, presented a bill entitled, An act supplementary to An act for the preservation of clams and oysters, passed the 9th day of June, 1820;

Which bill was read, and ordered a second reading.

The bill entitled, An act to incorporate the Rahway Manufacturing Company,

Was read a second time, and postponed.

The bill entitled, An act for the better organization of the cavalry of this state,

Was read a second time, and postponed.

The bill from Council entitled, A further supplement to the act entitled An act respecting conveyances, and to an act entitled, An act to register mortgages,

Was read a second time, progressed in, and postponed.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed a bill entitled, A further supplement to the act entitled An act to incorporate societies for the promotion of learning—

To which bill they request the concurrence of the House of Assembly;

Which bill was read, and ordered a second reading.

And the message informed, that the Council have appointed Messrs. Cook and White a correspondent committee, on their part, to meet the committee of the House of Assembly appointed on the concerns of the state-prison.

The engrossed bill entitled, An act to authorize David Rockefeller and Joseph Ott, administrators of Joseph Rockefeller, deceased, to convey certain real estate to John Merrit,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act for the relief of John N. Simpson,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act concerning fisheries,

Was read a third time, and compared.

On the question recurring, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,	Foster,	Robertson,
Armstrong,	Freas,	Stryker,
Barton,	French,	Townsend,
Bee,	Kinsey,	Toy,
Chandler,	Lake,	Van Blarcom,
Christie,	Lloyd,	Van Winkle,
Conover,	Marsh,	West,
Earl,	Mott,	Woodhull--26.
Emley,	Munson,	

NAYS.

Messrs. Capner,	Day,	Humphreys.
Clifford,	Dunn,	McDowell,
Cook,	Ewing,	Seeley—9.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to authorize Maria Thompson, administratrix, and Mark Thompson, administrator, of Robert C. Thompson, late of the county of Warren, deceased, to convey certain real estate to Jacob Pence, Frederick Lance, Jacob Swackhamer, Abraham Castner, and Peter Baylor; and also to sell and convey other lands of the said Robert C. Thompson, deceased, for the payment of debts,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,	Christie,	Day,
Barton,	Clifford,	Dodd,
Capner,	Conover,	Dunham,
Chandler,	Cook,	Dunn,

Messrs. Earl,
Emley,
Ewing,
Foster,
Freas,
French,
Humphreys,
Kinsey,

Lloyd,
Marsh,
Mott,
Munson,
McDowell,
Robertson,
Seeley,

Stites,
Stryker,
Townsend,
Toy,
Van Blarcom,
West,
Woodhull--34.

NAYS.

Messrs. Bee, Lake—2.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to authorize Cornelius Skillman and William Golden to sell certain real estate,
Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Barton,
Bee,
Capner,
Chandler,
Christie,
Clifford,
Conover,
Cook,

Day,
Dunn,
Earl,
Emley,
Ewing,
Foster,
Freas,
Kinsey,

Marsh,
Mott,
Munson,
Seeley,
Stryker,
Townsend,
Toy,
West—24.

NAYS.

Messrs. Dodd,
Dunham,
French,
Humphreys,

Lake,
McDowell,
Robertson,

Stites,
Van Blarcom,
Woodhull--10.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to divorce Ann Coward from her husband Thomas Coward, jun.,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Armstrong,
Barton,
Bee,
Capner,
Christie,

Clifford,
Conover,
Cook,
Day,
Dunn,
Earl,

Ewing,
Foster,
Freas,
French,
Humphreys,
Kinsey,

Messrs. Lloyd,
Mott,
Munson,
McDowell,

Robertson,
Seeley,
Stryker,
Townsend,

Toy,
Van Blarcom,
West—29.

NAYS.

Messrs. Dunham,
Emley,

Lake,
Marsh,

Van Winkle,
Woodhull—6.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act relative to insurance companies,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Barton,
Capner,
Chandler,
Christie,
Clifford,
Conover,
Cook,
Day,
Dodd,

Earl,
Emley,
Ewing,
Foster,
Freas,
Kinsey,
Lloyd,
Marsh,
Mott,
Munson,

McDowell,
Robertson,
Seeley,
Stites,
Stryker,
Townsend,
Toy,
Van Blarcom,
Van Winkle,
West—30.

NAYS.

Messrs. Archer,
Bee,
Dunham,

Dunn,
French,

Humphreys,
Lake—7.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to incorporate the New-Brunswick Insurance Company, in the counties of Middlesex and Somerset,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Archer,
Armstrong,
Bee,
Capner,
Chandler,
Christie.

Cook,
Day,
Dickerson,
Dodd,
Dunham,
Dunn,

Earl,
Emley,
Ewing,
Foster,
Humphreys,
Jackson,

Messrs. Kinsey,
Lloyd,
Marsh,
Mott,
Munson,

McDowell,
Robertson,
Seeley,
Stites,
Stryker,

Townsend,
Toy,
West,
Woodhull--32.

NAYS.

Messrs. Barton,
Clifford,
Freas,

French,
Lake,

Van Blarcom,
Van Winkle,

[7.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The re-engrossed bill entitled, An act to authorize the treasurer of this state to loan surplus money, and for other purposes,

Was read, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Armstrong,
Barton,
Bee,
Capner,
Christie,
Clifford,
Conover,
Day,
Dodd,
Dunn,
Earl,

Emley,
Ewing,
Foster,
Freas,
French,
Humphreys,
Kinsey,
Lake,
Lloyd,
Marsh,
Mott,

Munson,
McDowell,
Robertson,
Seeley,
Stites,
Stryker,
Townsend,
Toy,
Van Winkle,
West,
Woodhull--34.

NAY.

Mr. Cook.

Ordered, That the speaker sign the same.

The re-engrossed bill entitled, An act for the relief of the New Jersey Delaware Oyster Company,

Was read, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Armstrong,
Barton,

Bee,
Capner,
Christie,

Cook,
Dunn,
Earl.

Messrs. Emley,
Ewing,
Foster,
Kinsey,
Lloyd,
Marsh,

Mott,
Munson,
McDowell,
Robertson,
Seeley,
Stites,

Stryker,
Townsend,
Toy,
Van Blarcom,
Van Winkle,
[26.

NAYS.

Messrs. Clifford,
Conover,
Day,

Freas,
French,
Humphreys,

Lake,
West,
Woodhull--9.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bills to Council, inform them that the amendments made thereto by Council have been agreed to by this House, and that they have caused said bills to be re-engrossed.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Woodhull, from the committee to whom was referred the petition of sundry persons, complaining of the official conduct of William Dellicker, esq.,

Reported, That they have carefully examined the papers submitted to them, and although it is evident, that William Dellicker, esq., has not acted entirely according to law, yet there is nothing to induce a belief, that he designed to make use of his official authority as an instrument of malice or oppression. The committee therefore can perceive no just ground for the interference of this House ;

Which report was read, and agreed to.

Mr. Archer, from the committee to whom was referred the petition of sundry inhabitants of the town of Salem, praying to have said town incorporated,

Reported, That they consider it inexpedient that the prayer of said petitioners be granted at this time ;

Which report was read, and agreed to.

Mr. Van Blarcom, from the committee to whom was referred the petition of John Begbie, praying to be exonerated from a fine and costs incurred by selling liquor by small measure, and the alteration of the law prohibiting such sales,

Reported, That, having taken into consideration the advanced period of the session, the committee are of opinion, that it is inexpedient, at this time, to grant the prayer of the petitioner, and therefore recommend that he have leave to withdraw his said petition ;

Which report was read, and agreed to.

The House resumed the consideration of the bill entitled, An act for the better organization of the cavalry of this state;

Which was gone through with by section, and ordered to be engrossed.

The bill entitled, A supplement to the act entitled An act concerning taxes, passed the 10th day of June, 1799, and to the act entitled, An act designating the taxable property within the state of New-Jersey, passed the 9th day of March, 1801,

Was read a second time, and on a motion to strike out the first section, which, among other things, provided for the taxing of bonds, mortgages, &c., the yeas and nays, being required, were as follow :

YEAS.

Messrs. Archer,	Emley,	Seeley,
Armstrong,	Ewing,	Stryker,
Barton,	Foster,	Townsend,
Bee,	French,	Toy,
Capner,	Humphreys,	Van Winkle,
Clifford,	Lake,	Vroom,
Cook,	Mott,	West,
Dickerson,	McDowell,	Woodhull--26.
Dunn,	Robertson,	

NAYS.

Messrs. Chandler,	Earl,	Marsh,
Christie,	Freas,	Munson,
Day,	Kinsey,	Stites,
Dodd,	Lloyd,	Van Blarcom.
Drake, sp.,		[13.

So the first section of said bill was struck out, and, on motion, the bill was dismissed.

The House adjourned to ten o'clock to-morrow morning.

WEDNESDAY, December 20.

Ten o'clock—the House met.

Mr. Ewing, from the committee to whom was referred the communication of the governor, transmitting an application from the government of the state of Maryland, for the passage of a law to enable the owners of slaves, escaping from said state to New-Jersey, to recover the same, &c.,

Reported a bill entitled, An act to give effect to the constitution of the United States, &c.;

Which bill was read, ordered a second reading, and to be printed.

The speaker laid before the House the following communication from the governor:

EXECUTIVE DEPARTMENT, Trenton, December 19, 1826.

SIR,

I have just received, from the governor of Vermont, the accompanying resolutions of the legislature of that state, relative to the amendments to the constitution of the United States, proposed by the state of Tennessee, and request that you will communicate the same to the House over which you have the honor to preside.

Your most obedient servant,

ISAAC H. WILLIAMSON.

Which communication, together with the accompanying resolutions of the legislature of the state of Vermont, relative to the amendments to the constitution of the United States, proposed by the state of Tennessee, and disagreed to by the said legislature of Vermont,

Were read, and ordered to lie on the table.

The House resumed the consideration of the bill entitled, An act to augment the fund for the support of free schools;

Which was considered by section, and ordered to be engrossed.

The bill entitled, An act to incorporate the Fulton Navigation Company,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill entitled, An act to incorporate the Essex county Manufacturing Company,

Was read a second time, gone through by section, and postponed.

The bill entitled, An act to revive the charter of the New-Jersey Protection and Lombard Bank, with further restrictions thereon,

Was read a second time, and postponed.

The House resumed the consideration of the bill from Council entitled, An act to provide for the more equal and just representation of the several counties of this state in the General Assembly,

The first section of which was disagreed to, and the bill rejected.

Ordered, That the clerk inform Council, that the House have disagreed to said bill.

Mr. Van Winkle submitted the following resolution:

Resolved, That a committee be appointed to inquire into the expediency of appointing a board of commissioners, to make a survey of all the oyster lands within the jurisdictional limits of this state, and cause maps to be made of the same, designating thereon all the principal natural beds, and marking out such tracts as are suitable for the planting and growing of oysters, with the number of acres in each, the rate per acre at which they could probably be reared, and make report to the next legislature, that it may be ascertained

how far these lands may be rendered subservient to the creation of a revenue for the establishment and support of free schools;

Which resolution was read, and ordered to lie on the table.

The speaker laid before the House the following communication, enclosing the report of the commissioners appointed to investigate the situation and affairs of the Jersey Bank, and of the Franklin Bank of New Jersey:

December 18, 1826.

SIR.

We enclose our report of the situation and affairs of the Franklin Bank of New-Jersey, and also our report of proceedings in relation to the Jersey Bank, in obedience to a resolution of the legislature of this state.

Very respectfully your obedient servants,

JAMES PARKER.
JAMES VANDERPOOL.
ASA WHITEHEAD.

To GEORGE K. DRAKE, esq., speaker, &c.

*To the Honorable the Council and General Assembly
of the State of New-Jersey.*

The subscribers, commissioners appointed to examine into the situation and affairs of the President, Directors, and Company of the Franklin Bank of New-Jersey, respectfully REPORT—

That they have attended at the Franklin Bank, at the city of Jersey, where they met four of the present directors, and the present cashier, Lewis M. Wiss. That it appears to the commissioners, by the book of minutes of the present board of directors, that on the 5d day of August last, the following persons, who were elected directors at the annual election on the 5th of December, 1825, successively resigned their offices, viz. John H. Watson, William S. Hart, William B. Hart, Sylvanus Rapelye, and Azariah Ross: and that Alexander C. Jackson, Caleb O. Halsted, Joel W. Condit, Knowles Taylor, and Moses Allen were successively chosen in their places. On the same day, Lewis Forman resigned his office as cashier, and Lewis M. Wiss was chosen in his place.

It is stated to the commissioners, by Mr. Wiss, the present cashier, who was previously a clerk in the bank, that a few days before the resignation of Lewis Forman, the late cashier, such of the books and papers of the bank, as had been kept at the banking house at Jersey city (except a book of minutes) were taken, by the direction of Mr. Forman, to the city of New-York, and that said books and papers, nor the other books and papers of the bank which had been kept in New-York, have not been returned or delivered over to the present board, although they have frequently been demanded by the present cashier, of the said Lewis Forman and of William B. Hart, in whose possession, or of one of them, the said books and papers

are believed to remain. From this cause the commissioners are unable to trace the loss and deranged situation of the bank to their proper source; but some extracts and reference to the book of minutes of the former board, will enable the legislature to form a judgment of the general course heretofore pursued by that board and its agents. On opening the book of subscription, on the 22d of March, 1825, it appears that 7645 shares were subscribed, being an excess of 1645 shares over the 6000 limited by the charter: the excess of 1645 shares, subscribed by thirty persons, was rejected; while 5930 shares (the whole capital, except 70 shares) were allowed to two subscribers. On the 5th of April succeeding, these 5930 shares, with 70 others, were parcelled out among twenty-eight persons, who seem to have constituted the stockholders on the 8th of April, when the first election was held. \$30,000 was paid to the commissioners, and lodged with the Hoboken Banking and Manufacturing Company. Elias Hicks, Thomas Ash, Azariah Ross, John H. Watson, William B. Hart, Sylvanus Rapelye, and Samuel B. Hichcox were elected directors.

Among the first acts of the board of directors, on the same 8th day of April, 1825, were the following resolutions:—

“*Resolved*. That the president and cashier deliver a check for thirty thousand dollars, and issue a bond for eleven thousand dollars, to the Hoboken Banking and Manufacturing Company, payable when the bank commences operations.

“*Resolved*. That the president and cashier shall issue bonds, under the seal of the company, to an amount not exceeding sixty-three thousand five hundred dollars, from which the thirty thousand dollars paid Robert Bartow, shall be deducted; and that William B. Hart shall deposit certificates of stock for one hundred and fifty-one thousand dollars, as collateral security for eleven thousand dollars, loaned him by the company.

“*Resolved*. That the above resolution be carried into effect under the direction of the committee of finance.”

At this meeting, all the remaining capital, or ninety per cent. was ordered to be paid immediately.

At a subsequent meeting of the board, on the 31st of May, 1825, certain by-laws were read, and unanimously adopted, which provided, among other things, for the duties of the finance committee, who were to attend every morning at the bank, or president's office, to discount notes, and whose duty it was to “attend to the fiscal concerns of the bank.”

By one of these rules or by-laws, it is made “the duty of the cashier to lay before the board, at their regular monthly meetings, a full and fair statement of the funds of the institution, the amount of stock paid in, of notes discounted, of bills in circulation, cash on hand, and of the incidental expenses, debts, and credits generally.”

By another, it is provided, that “there shall be a committee of examination appointed every three months, to be chosen by ballot, to consist of three members, whose duty it shall be to examine the state of the bank, its books, cash, evidences of debt, &c., to estimate

the profits and probable losses, and the amount of dividends proper, in their opinion, to be declared, and report the same to the board."

On the 13th of September, 1825, it was resolved, "that thirty thousand dollars be placed in the hands of L. Forman, to employ an agent for the purchase of cotton, in the state of Alabama."

By another minute, of the 5th of December, 1825, it appears, that Elias Hicks, William S. Hart, William B. Hart, Sylvanus Rapelye, John H. Watson, Azariah Ross, and Lewis Forman were chosen directors for the ensuing year; and William B. Hart, Sylvanus Rapelye, and Lewis Forman were chosen the finance committee.—This is the first and last minute of a board that continued in office until the 3d of August, 1826, (eight months) when they resigned their offices (excepting the president) to the present directors.

The commissioners are at a loss to know the object and purpose of the bonds directed to be issued on the 8th of April, 1825, before the bank went into operation. It seems an inversion of the object of the law, to borrow money, when it was the purpose of the bank to lend. The by-laws providing for a statement of the bank monthly, and an examination of it quarterly, seem to have been a dead letter, as it is stated to us by Mr. Wiss, who was a clerk in the bank, as before mentioned, that no such statement or examination ever was made, and the minutes of the board ought to contain the examination, if it had been made.—There is no account of the bills or notes issued by the bank, or signed by its officers.

The whole management of the bank, or its "fiscal concerns," appear to have been under the control of the "committee of finance," who took the notes of the bank into their hands, without check or security, and circulated them, or disposed of them at their discretion. The minute of September 13, 1825, directing thirty thousand dollars to be invested in buying cotton in Alabama, is one instance of the method pursued. Another case, though not in the minutes, yet as the fact is, we believe, incontrovertible, we will here mention. William B. Hart and Lewis Forman, *two of the finance committee*, on the 20th of May, 1826, borrowed of the Orange Insurance Company, in the city of New-York, thirty thousand dollars, on their bond, secured by a mortgage, executed by L. Forman and wife, on twenty-four lots of ground in the city of New-York, called the New Bull's Head Tavern, (the property being subject to a prior mortgage of sixteen thousand dollars, by a former owner). As a collateral security for this debt, thirty thousand dollars of the post-notes of the Franklin Bank of New-Jersey were deposited with the Insurance Company, and now remain there, pledged for its payment.—It is also notorious, that the notes of the Franklin Bank of New-Jersey were used by William B. Hart to purchase the stock of the State Bank at New-Brunswick, to a large amount, in the summer of 1826.

It appears, that during the period previous to the 3d of August, 1826, when the direction was changed, as before mentioned, William B. Hart, by himself and others in trust for him, held 3500 of

the 6000 shares of which this bank consisted, on which 3500 shares, it is stated, and we believe correctly, no value had ever been paid in cash, or, if it had, the cash or notes which represented those shares have been repaid or withdrawn. The evidence of this fact is the voluntary transfer, by William B. Hart and his associates, of that number of shares, at and immediately succeeding the 3d of August, 1826. (the day the bank was transferred) as "*dead stock*," as it is termed by the present board.

The commissioners have no way to ascertain the present situation of the Franklin Bank, than by stating the different items which have been handed over to the present board as assets of the bank, with their observations thereon. They consisted of the following, as stated to the commissioners by the present directors and cashier:

	Dols.	Cts
Cash handed over,	1,328	00
Notes of individuals,	9,310	68
Do. do. lodged for collection in the Trades- mens Bank.	3,822	92
Eighteen notes of William B. Hart, of \$3.700 each, all dated August 2, 1826. (the day before the bank was delivered over to the present board) payable in peri- ods of 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 months,	66,600	00
Five hundred and seventy-five shares of stock of the State Bank at New-Brunswick, pledged at \$13 per share, viz.		
Two hundred shares for William B. Hart's notes, dated August 4, 1826,	\$2,600	
Two hundred and twenty shares for William B. Hart's notes, dated August 22, 1826,	2,860	
One hundred and fifty-five shares without note,	2,015	
	7,475	00
Seven hundred and fourteen shares of said stock, for his note of August 12, 1826,	9,228	00
[These last subject to an attachment issued against William B. Hart, and levied before the sale and power of transfer.]		
United States Lombard bonds (company insolvent),	7,884	
Hudson Insurance Company, do.	19,731	83
Banking house, valued at	6,000	00
Post-note of the Franklin Bank of New-Jersey,	1,273	71
W. B. Hart's bond, secured by L. Forman and wife's mortgage on the New Bull's Head, dated August 5, 1826.	16,000	00
[Incumbered by previous mortgages for \$46,000.]		
	148,658	14

Dols. Cts.

Out of which there was stated, by Lewis Forman, the late cashier, to be payable—

In bank-notes on demand,	\$8,328.00
Post-notes,	67,999.76

 76,327 76

[Exclusive of \$30,000 of post-notes, deposited with the Orange Insurance Company, as collateral security for Forman and Hart's bond and mortgage.]

Of the preceding, the present directors have received—

Cash handed over,	1,328 00
In part of the amount of \$9,310.68,	5,876 21
The amount of notes in Tradesmens Bank,	3,822 92
In part of W. B. Hart's notes for \$66,600,	4,523 29
For 575 shares of State Bank at New-Brunswick,	
pledged on loan to that bank, at \$11 per share,	6,325 00
Borrowed on the banking house,	4,500 00
Post-note,	1,273 71

 27,649 13

And they state they have paid off—

Bills of the bank, payable on demand,	\$10,801.71
Post notes,	11,047.00
To the Tradesmens Bank, so much collected in part of \$12,000 post-notes,	
held by that bank,	3,822.92
Estimated expenses,	1,615.29
Interest and profit and loss,	329.10

 27,616 02

Leaving cash in hand,

 33 11

[The above comprises the transactions of the board up to the time of stopping payment, Sept. 30, 1826.]

The following comprises the property on hand:

Notes of individuals, residue of the \$9,310.68,	3,401 36
[Of these about \$1000 supposed good.]	
William B. Hart's notes, residue of \$66,000,	62,076 71
Seven hundred and fourteen shares of State Bank at New-Brunswick, in the name of William B. Hart,	
as security for his note, under previous attachment,	9,282 00
Five hundred and seventy-five shares of State Bank at New-Brunswick, at \$13 per share, \$7,475	
Pledged at \$11, for so much borrowed,	6,325

 1,150 00

United States Lombard bonds (insolvent),	7,834 00
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Hudson Insurance Company bonds (insolvent),	19,731 81
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		Dols.	Cts.
Banking house,	\$6,000		
Mortgaged for,	4,500		
	<hr/>	1,500	60
William B. Hart's and Lewis Forman's bond and mortgage on the New Bull's Head,		16,000	00
Cash,		33	11
		<hr/>	<hr/>
		121,009	01

There is stated, as due by the bank—

In post-notes, exclusive of the \$30,000 in the hands of the Orange Ins. Co., \$53,129.84

For 2500 shares of stock paid in, over and above the 3500 shares transferred to the company by William B. Hart and others, 125,000.00

178,129 84

Deficiency, 57,120 83

[Independent of the great and manifest loss existing in the different items composing the \$121,009.01, above stated.]

When it is recollected that no account of the notes issued has been stated to exist: that the current notes, stated by Lewis Forman, on the 3d of August, 1826, to amount to \$8,328, had been paid already to the amount of \$10,801.71 when the bank stopped, and that it is notorious that much of this description is yet held by the public, the legislature will at once see that the sum stated as yet in circulation must be far short of the actual amount.

Of the capital of \$300,000, which ought to have been paid in, \$175,000. if it ever existed, has been taken out, or returned to William B. Hart and his associates. If the existing funds should pay the debts of the institution, which the commissioners do not believe, the remaining capital of \$125,000 is lost, or disposed of in a way that is unknown to the commissioners, except so far as is herein stated.

The commissioners add, that they have addressed notes to Elias Hicks, William B. Hart, William S. Hart, Sylvanus Rapelye, Azariah Ross, and John H. Watson, the former president and directors, and Lewis Forman, the former cashier, requesting their attendance, to give such information in relation to the said bank as might be in their possession. Mr. Watson, in answer to the note of the commissioners, stated, that it had been received too late for him to attend, and that he knew very little of the concerns of the bank: and he has since called upon two of the commissioners, and stated to them, that he had never attended as a director since the resolution of September 13, 1825, directing thirty thousand dollars to be vested in buying cotton, to which resolution he dissented; and that he was not

notified, and did not know of his election as a director on the 5th of December, 1825.

The other persons notified did not attend agreeably to the request of the commissioners.

JAMES PARKER,
JAMES VANDERPOOL,
ASA WHITEHEAD.

December 18, 1826.

Which report was read, ordered to lie on the table, and in the meantime to be printed.

The report of the commissioners appointed to examine into the situation and affairs of the Jersey Bank, is as follows:

*To the Council and General Assembly
of the State of New-Jersey.*

The subscribers, commissioners appointed to examine into the situation and affairs of the President, Directors, and Company of the Jersey Bank, beg leave to REPORT,

That upon calling at the banking house in the city of Jersey, we found the banking room closed and locked. That the dwelling-house is occupied by Mr. Reuben Spencer, one of the directors, who stated, that he could give no information as to the state of the bank. That letters were addressed, by one of the commissioners, to Ferris Pell, the former president, D. Coolidge, the late president, and Alfred S. Pell, of New-York, requesting their attendance and information required by the resolution of the legislature. That Mr. Coolidge attended, and stated to the commissioners, that all the books and papers of the bank, were lodged in the vault, and that the key had been handed to Joseph Kissam, the late cashier. That Mr. Kissam is now in Norfolk, in Virginia, and is not expected to return until April next; and (as Mr. Coolidge understood) had left the keys of the bank with Ferris Pell. Mr. Ferris Pell, by letter, informed the commissioners, that it was out of his power to attend at present; but that he will, as soon as possible, advise them of his being ready to give the information required.

JAMES PARKER,
JAMES VANDERPOOL,
ASA WHITEHEAD.

Jersey City, December 14, 1826.

Which report was read, and ordered to lie on the table.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council will be ready to go into a joint-meeting, for the purpose of choosing one or more associate justices of the Supreme Court, and such other civil and military officers as may be deemed expedient, on Friday morning next, at ten o'clock in the forenoon, in the Assembly room.

The engrossed bill entitled, An act concerning banking corporations or bodies politic,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Barton,	Freas,	Mott,
Bee,	French,	Robertson,
Capner,	Green,	Seeley,
Christie,	Humphreys,	Stryker,
Dunham,	Jackson,	Townsend,
Earl,	Kinsey,	Toy,
Emley,	Lake,	Van Blarcom,
Ewing,	Lloyd,	Van Winkle,
Foster,		[25.

NAYS.

Messrs. Archer,	Day,	Munson,
Armstrong,	Drake, sp.	McDowell,
Chandler,	Dunn,	Vroom,
Cook,	Marsh,	Woodhull--12.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Bee, with leave, presented a bill entitled, An act for the more equal representation of the county of Gloucester in the General Assembly of this state;

Which bill was read, ordered a second reading, and to be printed.

Mr. Chandler, with leave, presented a bill entitled, An act for the more equal representation of the counties of Sussex and Warren in the General Assembly of this state;

Which bill was read, ordered a second reading, and to be printed.

The House resumed the consideration of the bill entitled, An act to repeal a part of an act herein named,

The first section of which was disagreed to, and the bill dismissed.

The bill entitled, An act for the promotion of literature,

Was read a second time, and on the question of agreeing to the first section of said bill, the yeas and nays, being required, were as follow :

YEAS.

Messrs. Archer,
Armstrong,
Chandler,
Christie,
Cook,
Dickerson,
Dunn.

Earl,
Freas,
Jackson,
Kinsey,
Lloyd,
Marsh,
Munson,

McDowell,
Stryker,
Toy,
Van Blarcom,
West,
Woodhull-20.

NAYS.

Messrs. Barton,
Bee,
Capner,
Clifford,
Conover,
Day,
Drake. sp.,
Dunham,

Emley,
Ewing,
Foster,
French,
Green,
Humphreys,
Lake,

Mott,
Robertson,
Secley,
Stites,
Townsend,
Van Winkle,
Vroom-22.

So the first section was disagreed to, and the bill, on motion, was dismissed.

The House resumed the consideration of the bill entitled, An act to incorporate the Dover Manufacturing Company;

Which was gone through by section, and postponed.

The bill entitled, A supplement to An act to enable the owners and possessors of meadow and marsh, lying on Newton creek, in the county of Gloucester, to make and maintain a bank, dam, and necessary waterworks to stop the tide out of the said creek, to keep the watercourse thereof open and clear, passed November 20, 1786,

Was read a second time, gone through by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act to incorporate the Farmers and Mechanics Bank of Rahway,

And, the first section being under consideration, on the question of agreeing to the same, the yeas and nays, being required, were as follow:

Messrs. Archer,
Armstrong,
Barton,
Bee,
Chandler,
Christie,
Cook,
Day,
Dickerson,

Dodd,
Drake, sp.,
Dunham,
Dunn,
Earl,
Jackson,
Kinsey,
Lloyd,

Marsh,
Munson,
McDowell,
Stites,
Toy,
Van Blarcom,
West,
Woodhull--25.

YEAS.

Messrs. Capner,
Emley,

Ewing,
Foster,

French,
Green,

Messrs. Humphreys,
Lake,
Mott,

Robertson,
Seeley,
Stryker,

Townsend,
Van Winkle,
Vroom—15.

So the first section of said bill was agreed to, and the bill was then postponed.

The House adjourned to nine o'clock to-morrow morning.

THURSDAY, December 21.

Nine o'clock—the House met.

Mr. Dodd presented the petition of Hannah Kinney, widow of Abraham Kinney, late of Essex county, deceased, praying the passage of a law to authorize the sale of a certain trust estate;

Which petition was read, and committed to Messrs. Dodd, Emley, and Barton.

Mr. Dodd, from the committee to whom was recommitted the bill entitled. An act to divorce Sarah Morris from her husband Dennis Morris,

Reported the same, without amendment;

Which bill was read a second time, the first section disagreed to, and the bill dismissed.

The House resumed the consideration of the bill entitled, An act for the purpose of rendering the Crosswicks creek navigable;

Which was gone through with by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act to incorporate the Dover Manufacturing Company;

Which was gone through with by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act to incorporate the Farmers and Mechanics Bank of Rahway;

Which was progressed in by section, and postponed.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have disagreed to the bill from the House of Assembly entitled, An act to amend the judicial system of this state.

The House resumed the consideration of the bill from Council entitled, A further supplement to the act entitled An act respecting conveyances, and to an act entitled, An act to register mortgages;

Which was gone through by section, and ordered a third reading.

The bill from Council entitled, An act to make the property of turnpike companies or corporations liable to sale on judgment and execution.

Was read a second time, considered by section, and ordered a third reading

The engrossed bill entitled, An act to augment the fund for the support of free schools,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Archer,	Earl,	McDowell,
Bee.	Freas,	Robertson,
Christie,	Green,	Toy,
Conover,	Jackson,	Vroom,
Dickerson,	Kinsey,	West.
Dodd,	Lloyd,	Woodhull--18.
Drake, sp.,		

NAYS.

Messrs. Armstrong,	Dunn,	Munson,
Barton.	Emley,	Seeley,
Capner,	Ewing,	Stites,
Chandler,	Foster,	Stryker,
Clifford,	Humphreys,	Townsend,
Cook,	Mott,	Van Blarcom,
Day,		[19.

The engrossed bill entitled, An act to incorporate the Fulton Navigation Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows.

YEAS.

Messrs. Archer,	Earl,	Mott,
Armstrong,	Emley,	McDowell,
Bee,	Ewing,	Seeley,
Chandler,	Foster,	Stites,
Christie,	Freas,	Stryker,
Cook,	Green,	Toy,
Day,	Humphreys,	Van Blarcom,
Dickerson,	Jackson,	Van Winkle,
Dodd,	Kinsey,	West.
Dunn,	Lloyd,	Woodhull--30.

NAYS.

Messrs. Barton,	Conover,	Robertson,
Capner,	Drake, sp.,	Townsend,
Clifford,	Dunham,	Vroom--9.

Ordered. That the speaker sign the same.

The engrossed bill entitled, An act to incorporate the Essex Manufacturing Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Bee,
Chandler,
Christie,
Cook,
Dickerson,
Dodd,
Drake, sp.,

Dunn,
Foster,
Green,
Humphreys,
Jackson,
Kinsey,
Lloyd,
Munson,

McDowell,
Stites,
Stryker,
Toy,
Van Blarcom,
Vroom.
Woodhull--23.

NAYS.

Messrs. Barton,
Capner,
Conover,
Day,

Dunham,
Earl,
Emley,
Ewing,

Mott,
Robertson,
Seeley,
Townsend.

[12.

Ordered. That the speaker sign the same.

The engrossed bill entitled, An act for the better organization of the cavalry of this state,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Armstrong,
Capner,
Chandler,
Christie,
Cook,
Dickerson,
Dodd,
Drake, sp.,
Dunn,

Earl,
Emley,
Ewing,
Freas,
Green,
Jackson,
Kinsey,
Lloyd,
Marsh,
Mott,

Munson,
McDowell,
Robertson,
Stryker,
Townsend,
Toy,
Van Winkle,
West,
Woodhull--29.

NAYS.

Messrs. Clifford,
Conover,

Day,
Humphreys,

Stites—5.

Ordered. That the speaker sign the same.

Ordered, That the clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The bill from Council entitled, An act providing for the repairs of the government house,

Was read a third time.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Bee,
Capner,
Chandler,
Christie,
Clifford,
Conover,
Cook,
Day,
Dodd,
Drake, sp.,
Dunham,

Dunn,
Earl,
Emley,
Freas,
Green,
Humphreys,
Jackson,
Kinsey,
Lloyd,
Marsh,
Mott,
Munson,

McDowell,
Robertson,
Seeley,
Stites,
Stryker,
Townsend,
Toy,
Van Blarcom,
Van Winkle,
Vroom,
West,
Woodhull--36

NAYS.

Messrs. Ewing,

Foster—2.

Ordered, That the speaker sign the same.

Ordered, That the clerk inform Council, that the House have passed said bill,

Without amendment.

The bill from Council entitled, An act relative to the degree of doctor of medicine,

Was read a second time, and, while under consideration,

The House adjourned to three o'clock in the afternoon.



Three o'clock—the House met.

The House resumed the consideration of the bill entitled, An act relative to the degree of doctor of medicine,

The first section of which was disagreed to, and the bill rejected.

Ordered, That the clerk inform Council of the disagreement of the House to said bill.

The bill entitled, An act to give effect to the constitution of the United States, &c.,

Was read a second time, and postponed.

The House resumed the consideration of the bill entitled, An act to incorporate the Farmers and Mechanics Bank of Rahway :

Which was gone through with by section, and ordered to be engrossed.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act for the relief of John N. Simpson, and

The bill from the House entitled, An act to authorize David Rockefeller and Joseph Ott, administrators of Joseph Rockefeller, deceased, to convey certain real estate to John Merrit,

Respectively, without amendment.

The House resumed the consideration of the bill entitled, An act to revive the charter of the New-Jersey Protection and Lombard Bank, with further restrictions thereon,

The first section of which was disagreed to, and the bill dismissed.

The bill entitled, An act for the more equal representation of the counties of Sussex and Warren, in the General Assembly of this state,

Was read a second time, considered by section, and ordered to be engrossed.

The bill entitled, An act for the more equal representation of the county of Gloucester in the General Assembly of this state,

Was read a second time, amended, by including the county of Middlesex therein, considered by section, and the title so amended as to read, An act for the more equal representation of the counties of Gloucester and Middlesex in the General Assembly of this state—and thus amended, was ordered to be engrossed.

The House then went into the nomination of candidates for the several offices, to be supplied by appointments to be made in joint-meeting on to-morrow ; which nominations were read and compared, a duplicate sent to Council by the clerk, and

The House adjourned to nine o'clock to-morrow morning.

FRIDAY, December 22.

Nine o'clock—the House met.

The resolution submitted by Mr. Van Winkle, on the 20th inst.; for the appointment of a committee to inquire into the expediency of appointing a board of commissioners to survey all the oyster lands in this state, with a view to rent them, for the creation of a fund for the establishment and support of free schools,

Was called up, read, and disagreed to.

The engrossed bill entitled, An act to incorporate the Dover Manufacturing Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Armstrong,
Barton,
Bee,
Chandler,
Christie,
Clifford,
Conover,
Cook,
Day,
Dickerson,

Dodd,
Drake, sp.,
Dunham,
Dunn,
Green,
Humphreys,
Jackson,
Kinsey,
Lloyd,
Marsh,

Manson,
McDowell,
Stites,
Stryker,
Toy,
Van Blarcom,
Van Winkle,
Vroom,
West,
Woodhull--31.

NAYS.

Messrs. Earl,
Emley,
Ewing,
Foster,

Freas,
French,
Lake,

Mott,
Seeley,
Townsend,
[10.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act for the more equal representation of the counties of Gloucester and Middlesex in the General Assembly of this state,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Armstrong,
Bee,
Chandler,
Cook,
Day,
Dickerson,
Drake, sp.,
Dunham,

Dunn,
Earl,
Ewing,
Freas,
French,
Humphreys,
Kinsey,
Lake,
Lloyd,

Marsh,
Munson,
McDowell,
Robertson,
Stites,
Toy,
Van Blarcom,
West--26.

NAYS.

Messrs. Barton,
Christie,
Clifford,
Conover,
Emley,

Foster,
Green,
Mott,
Seeley,
Stryker,

Townsend,
Van Winkle,
Vroom,
Woodhull--14.

Ordered, That the speaker sign the same.

The engrosed bill entitled, An act for the more equal representation of the counties of Sussex and Warren in the General Assembly of this state,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Archer,
Armstrong,
Bee,
Capner,
Chandler,
Christie,
Cook,
Day,
Dickerson,
Dodd,
Drake, sp.,

Dunham,
Dunn,
Earl,
Ewing,
French,
Green,
Humphreys,
Jackson,
Kinsey,
Lake,
Lloyd,

Marsh,
Munson,
McDowell,
Robertson,
Stites,
Stryker,
Van Blarcom,
Van Winkle,
Vroom,
West—32.

NAYS.

Messrs. Barton,
Clifford,
Conover,
Emley,

Foster,
Freas,
Mott,

Seeley,
Townsend,
Woodhull--10.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

Mr. Day, with leave, presented a bill entitled, An act for the more equal representation of the counties of Essex and Burlington in the General Assembly of this state;

Which bill was read, ordered a second reading, and to be printed.

Mr. Lloyd, with leave, presented a bill entitled, An act to incorporate the Monmouth Manufacturing Company;

Which bill was read, and ordered a second reading.

The bill entitled, An act appointing commissioners to examine and report on the situation of the several banks in this state,

Was read a second time, and, while under consideration,

The Council came into the Assembly room, the two Houses went into a joint-meeting, and, after going through their appointments in part, the joint-meeting adjourned, and

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

The Council came into the Assembly room, the two Houses went into a joint-meeting, and, after going through their appointments, the joint-meeting rose, the House came to order, and

Adjourned to nine o'clock to-morrow morning.

SATURDAY, December 23.*Nine o'clock—the House met.*

Mr. Woodhull, from the committee appointed on that subject,

Reported a bill entitled, An act for the support of the government of this state;

Which bill was read, and ordered a second reading.

Mr. Dodd, from the committee to whom was referred No. 9, of the unfinished business of the last session, a bill entitled, An act to incorporate the Newark and New-York Canal and Steam Navigation Company,

Reported the same, without amendment;

Which bill, on motion, was dismissed.

The bill entitled, An act to exonerate Theresa Parmentier from her recognizance,

Was read a second time, considered by section, and ordered to be engrossed.

The bill entitled, An act for the more equal representation of the counties of Essex and Burlington in the General Assembly of this state,

Was read a second time, and amended, by including the county of Hunterdon therein.

A motion was then made to include the county of Monmouth in said bill, by increasing the number of her representatives in the General Assembly to five; and the yeas and nays being required thereon, were as follow :

YEAS.

Messrs. Archer,
Christie,
Conover,
Foster,
Freas,

Green,
Kinsey,
Lake,
Lloyd,

Stryker,
Van Winkle,
Vroom,
West—13.

NAYS.

Messrs. Armstrong,
Barton,
Bee,

Capner,
Chandler,
Clifford,

Day,
Dickerson,
Dodd,

Messrs. Drake, sp.,
Dunham,
Dunn,
Earl,
Emley,
Ewing,

French,
Humphreys,
Marsh,
Mott,
Munson,
McDowell,

Robertson,
Stites,
Townsend,
Toy,
Van Blarcom,
Woodhull--27.

So the county of Monmouth was not included in the said bill.

The bill was then considered by section, and, on the question of agreeing to the first section, the yeas and nays being required, were as follow:

YEAS.

Messrs. Armstrong,
Barton,
Bee,
Capner,
Chandler,
Clifford,
Cook,
Day,

Dickerson,
Dodd,
Drake, sp.,
Dunham,
Dunn,
Earl,
Emley,
French,

Lloyd,
Marsh,
Mott,
Munson,
Robertson,
Stites,
Toy,
Van Blarcom,
[24.]

NAYS.

Messrs. Archer,
Christie,
Conover,
Ewing,
Foster,
Freas,

Green,
Humphreys,
Kinsey,
Lake,
McDowell,

Stryker,
Townsend,
Van Winkle,
Vroom,
West--16.

So the first section was agreed to.

The title was then so amended as to read, An act for the more equal representation of the counties of Essex, Hunterdon, and Burlington in the General Assembly of this state ;

Which bill, so amended, was ordered to be engrossed.

Mr. Freas, with leave, presented a bill entitled, An act establishing an independent battalion within the bounds of the second regiment of the Salem brigade ;

Which bill was read, and ordered a second reading.

The bill from Council entitled, A further supplement to the act entitled An act respecting conveyances, and to an act entitled, An act to register mortgages,

Was read a third time.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Barton,
Bee,
Capner.

Chandler,
Day,
Dodd,

Dunham,
Dunn,
Earl,

Messrs. Ewing,
Freas,
French,
Green,
Humphreys,
Jackson,

Kinsey,
Lake,
Lloyd,
Mott,
Munson,

McDowell,
Stryker,
Toy,
Vroom,
Woodhull--25.

NAYS.

Messrs. Armstrong,
Christie,
Clifford,
Conover,
Cook,

Drake, sp.,
Emley,
Foster,
Marsh,
Seeley,

Stites,
Townsend,
Van Blarcom,
Van Winkle,
West--15.

Ordered, That the speaker sign the same.

Ordered, That the clerk inform Council, that the House have passed said bill,

Without amendment.

The bill from Council entitled, An act to make the property of turnpike companies or corporations liable to sale on judgment and execution.

Was read a third time.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Archer,
Armstrong,
Barton,
Bee,
Clifford,
Emley,

Freas,
French,
Lake,
McDowell,
Robertson,
Townsend,

Toy,
Van Blarcom,
Vroom,
West,
Woodhull--17.

NAYS.

Messrs. Capner,
Chandler,
Christie,
Day,
Dodd,
Drake, sp.,
Dunham,
Dunn,

Ewing,
Foster,
Green,
Humphreys,
Jackson,
Kinsey,
Lloyd,

Marsh,
Mott,
Munson,
Seeley,
Stites,
Stryker,
Van Winkle,
[22.

Ordered, That the clerk inform Council that this House have disagreed to said bill.

The engrossed bill entitled, An act to incorporate the Farmers and Mechanics Bank of Rahway,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Chandler,
Christie,
Cook,
Day,

Dickerson,
Dunn,
Jackson,
Kinsey,

Lloyd,
McDowell,
Van Blarcom,
[11.

NAYS.

Messrs. Archer,
Armstrong,
Barton,
Bee,
Capner,
Clifford,
Conover,
Dodd,
Drake, sp.,
Earl,

Emley,
Ewing,
Foster,
French,
Green,
Humphreys,
Lake,
Marsh,
Mott,
Munson,

Robertson,
Seeley,
Stites,
Stryker,
Townsend,
Toy,
Van Winkle,
Vroom,
West,
Woodhull--30.

The engrossed bill entitled, A supplement to an act entitled An act to enable the owners and possessors of meadow and marsh lying on Newton creek, in the county of Gloucester, to make and maintain a bank, dam, and other necessary waterworks to stop the tide out of said creek, and to keep the watercourses thereof open and clear, passed November 20, 1786,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Cook,
Dodd,
Dunn,
Earl,

Emley,
Freas,
French,
Humphreys,

McDowell,
Robertson,
Townsend,
Toy—12.

NAYS.

Messrs. Archer,
Barton,
Bee,
Capner,
Chandler,
Christie,
Clifford,
Conover,
Day,
Dickerson,

Drake, sp.,
Dunham,
Ewing,
Foster,
Green,
Jackson,
Kinsey,
Lake,
Lloyd,
Marsh,

Mott,
Munson,
Seeley,
Stites,
Stryker,
Van Blarcom,
Van Winkle,
Vroom,
West,
Woodhull--30.

The engrossed bill entitled, An act to incorporate a company for the purpose of rendering the Crosswicks creek navigable,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The House resumed the consideration of the bill entitled, An act to carry into effect the constitution of the United States, &c.;

Which was progressed in by section, and postponed.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Kinsey, from the committee on that subject,

Reported a bill entitled, An additional supplement to the act entitled An act for the punishment of crimes, passed the 18th day of March, 1796;

Which bill was read, ordered a second reading, and to be printed.

The House resumed the consideration of the bill entitled, An act to give effect to the constitution of the United States, &c.;

Which was gone through by section, and the title so amended as to read, A supplement to the act entitled An act concerning slaves—

And thus amended, the bill was ordered to be engrossed.

The bill entitled, An act to incorporate the New-Jersey Canal Company,

Was read a second time, and postponed.

The bill entitled, An act supplementary to an act for the preservation of clams and oysters, passed the 9th day of June, 1820,

Was read a second time, considered by section, and ordered to be engrossed.

On motion of Mr. Foster, the vote on the bill from Council entitled, An act to render the property of turnpike companies or corporations liable to sale on judgment and execution,

Was reconsidered, and the bill again placed on the files of the House.

The bill entitled, An act to incorporate the Rahway Manufacturing Company,

Was read a second time—

Whereupon Mr. Day presented a petition from a number of the citizens of this state in favor of the passage of said bill;

Which was read, and ordered to lie on the table.

The bill was then gone through with by section, and ordered to be engrossed.

Mr. Mott submitted the following resolution :

Resolved, That the clerk inform Council, that this House is ready to go into a joint-meeting, for the appointment of such officers as

may be deemed necessary: and request Council to appoint the time and place of said meeting;

Which resolution was read and agreed to, and the clerk ordered to inform Council accordingly.

The House adjourned to nine o'clock on Monday morning.

MONDAY, December 25.

Nine o'clock—the House met.

Mr. Freas, from the committee to whom was referred the petition of Jonathan Cawley and others, complaining of the official conduct of William Harrison, esq., one of the justices of the peace of the county of Gloucester,

Reported, That the circumstances stated in the said petition and accompanying affidavits, appear to call for some investigation; but the parties concerned and witnesses living quite remote from the seat of government, and the short time given to the committee before the close of the session, added to their other pressing duties, have prevented their instituting the proper inquiry; and they would recommend that the business be postponed to the next legislature;

Which report was read, and agreed to.

The bill entitled, An act to raise the sum of — thousand dollars for the year 1827,

Was read a second time, gone through by section, and the title amended so as to read, An act to raise the sum of thirty thousand dollars for the year of our Lord, 1827;

Which bill was then ordered to be engrossed.

The bill entitled, An act directing the time and mode of electing representatives in congress and electors of president and vice-president of the United States, on the part of this state, in districts,

Was called up, and postponed to the next session of the legislature.

The bill entitled, A further supplement to the acts concerning oysters,

Was read a second time, considered by section, and ordered to be engrossed.

The bill entitled, An act establishing an independent battalion within the bounds of the second regiment of the Salem brigade,

Was read a second time:

Whereupon Mr. Archer presented the petition of the officers of the uniformed companies, applying to be set off into an independent battalion;

Which petition was read, and ordered to lie on the table.

The bill was then gone through by section, and ordered to be engrossed.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have agreed to the the amendments made by the House of Assembly to the bill from Council entitled An act to incorporate the Woodbury Fire Association,

And have caused said bill to be re-engrossed.

And the message informed, that the Council have disagreed to the bill from the House of Assembly entitled, An act to incorporate the Essex Manufacturing Company; to the bill entitled, An act to dissolve the marriage contract between George W. Shannon and Mary Ann Shannon; and to the bill from the House entitled, An act to divorce Maria Stafford from her husband Joseph B. Stafford; and that the Council have passed the bill from the House of Assembly entitled, An act for incorporating trustees of Trenton Lodge, No. 5,

Without amendment.

And the message also informed, that the Council will be ready to go into a joint-meeting for the appointment of such officers as may be necessary, on Wednesday next, at ten o'clock A. M. in the Assembly room.

The engrossed bill entitled, An act to incorporate the Rahway Manufacturing Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Bee,
Chandler,
Christie,
Day,
Dickerson,
Dodd,
Drake, sp..

Dunn,
Earl,
Jackson,
Kinsey,
Lloyd,
Marsh,

Munson,
McDowell,
Stites,
Toy,
Van Blarcom,
West—19.

NAYS.

Messrs. Capner,
Clifford,
Dunham,
Emley,
Ewing,
Foster,

Freas,
French,
Green,
Humphreys,
Lake,
Mott,

Robertson,
Seeley,
Stryker,
Townsend,
Van Winkle,
Vroom—18.

The engrossed bill entitled, An act to exonerate Theresa Parmentier from her recognizance,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

The engrossed bill entitled, A supplement to an act entitled An act concerning slaves,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act supplementary to An act for the preservation of clams and oysters, passed the ninth day of June, eighteen hundred and twenty,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Armstrong,
Bee,
Capner,
Chandler,
Christie,
Clifford,
Dickerson,
Drake, sp.,
Dunn,
Earl,
Emley,

Ewing,
Foster,
Freas,
French,
Green,
Humphreys,
Jackson,
Kinsey,
Lake,
Lloyd,
Marsh,

Mott,
McDowell,
Robertson,
Seeley,
Stryker,
Townsend,
Toy,
Van Blarcom,
Van Winkle,
Vroom,
West—34.

NAYS.

Messrs. Conover,

Day—2.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

Mr. Kinsey, from the joint-committee appointed on the concerns of the state-prison,

Reported the following resolution:

Resolved, That the inspectors of the state-prison are required and directed to make sale of all the nails, with all the machinery and materials connected with the nailing establishment, on or before the next session of the legislature;

Which report was read, and agreed to.

Mr. Dodd, from the committee to whom was referred the report of the commissioners, appointed to examine into the situation and affairs of the Hoboken Banking and Grazing Company,

Reported, That in the opinion of the committee, it is unnecessary to legislate upon the subject at this time; but recommend that the report of the commissioners be printed;

Which report was read, and agreed to.

The bill entitled, An act to incorporate the Monmouth Manufacturing Company,

Was read a second time, gone through by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act appointing commissioners to examine, and report on the situation of the several banks in this state;

Which was ordered to be engrossed.

The bill from Council entitled, A further supplement to the act entitled An act to incorporate societies for the promotion of learning,

Was read a second time, gone through by section, and ordered a third reading.

The bill entitled, An act for the sale of the state lands at Paterson, together with the report made thereon by the committee,

The bill entitled, An act concerning free people of color,

And the bill entitled, An act to incorporate the Mechanics Bank of Orange,

Were severally called up, and postponed to the next session of the legislature.

The bill entitled, An act to facilitate and promote the education of youth,

The bill entitled, An act to authorize the erection of weirs and fish baskets in the river Delaware, under certain regulations,

The bill entitled, An act for the relief of William McKissack,

The bill entitled, A further supplement to the act entitled An act concerning landlords and tenants, passed the 10th March, 1795,

The bill entitled, An act relative to the Fire Department of the city of New-Brunswick, and

The bill entitled, An act to amend an act, entitled An act to prevent horse-racing, passed 15th February, 1811,

Were severally called up, and dismissed.

The House resumed the consideration of the bill entitled, An act to incorporate the New-Jersey Canal Company,

When the first section being under consideration, on the question of agreeing to the same, the yeas and nays, being required, were as follow:

YEAS.

Messrs. Bee,
Capner,

Christie,
Clifford,

Dunham,
Earl,

Messrs. Green,
Humphreys,
Kinsey,

Mott,
Stryker,
Toy,

Van Winkle,
Vroom—14.

NAYS.

Messrs. Archer,
Armstrong,
Barton,
Chandler,
Conover,
Day,
Dickerson,
Drake, sp.,
Dunn,

Emley,
Ewing,
Foster,
Freas,
French,
Jackson,
Lake,
Lloyd,
Marsh,

Munson,
McDonnell,
Robertson,
Seeley,
Stites,
Townsend,
Van Blarcom,
West—26.

So the first section was disagreed to, and, on motion, the said bill was dismissed.

Mr. Kinsey, with leave, presented a bill entitled, An act respecting the Delaware and Raritan Canal Company;

Which bill was read, and ordered a second reading.

The House adjourned to nine o'clock to-morrow morning.

TUESDAY, December 26.

Nine o'clock—the House met.

Mr. Ewing, from the committee to whom was referred the several proposals for printing the Laws, Law Reports, and Votes and Proceedings of the Assembly,

Reported, That they have examined the proposals submitted to them, and respectfully recommend, that Joseph Justice be appointed to print the Laws of the present session, at thirty-two dollars per sheet; that George Sherman be appointed to print the Law Reports of the ensuing year, at thirty-two dollars per sheet; and that William L. Prall be appointed to print the Votes and Proceedings of the House of Assembly of the present session, at twenty-eight dollars per sheet; upon their respectively giving to the treasurer of this state bond, with satisfactory security, that said printing shall, in all things, be executed and delivered by them according to law;

Which report was read, and agreed to.

The engrossed bill entitled, An act to raise the sum of thirty thousand dollars for the year of our Lord 1827,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Barton,
Bee,
Capner,
Chandler,
Christie,
Day,
Dickerson,
Drake, sp.,
Dunn,
Earl,

Emley,
Ewing,
Foster,
French,
Green,
Humphreys,
Jackson,
Kinsey,
Lake,
Lloyd,
Marsh,

Mott,
Robertson,
Seeley,
Stites,
Stryker,
Townsend,
Toy,
Van Blarcom,
Van Winkle,
Vroom—32.

NAYS.

Messrs. Armstrong,
Clifford,
Conover,

Cook,
Dunham,
Freas,

McDowell,
West—8.

Ordered. That the speaker sign the same.

The engrossed bill entitled, A further supplement to the acts concerning oysters.

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows.

YEAS.

Messrs. Archer,
Armstrong,
Bee,
Capner,
Chandler,
Christie,
Clifford,
Conover,
Cook,
Dickerson,
Drake, sp.,
Dunham,
Dunn,

Earl,
Emley,
Ewing,
Foster,
Freas,
French,
Green,
Humphreys,
Jackson,
Kinsey,
Lake,
Lloyd,

Marsh,
Mott,
McDowell,
Robertson,
Seeley,
Stites,
Stryker,
Townsend,
Toy,
Van Blarcom,
Vroom,
West—37.

NAYS.

Messrs. Barton,

Day,

Van Winkle,
[3.

Ordered. That the speaker sign the same.

The engrossed bill entitled, An act for the more equal representation of the counties of Essex, Hunterdon, and Burlington in the General Assembly of this state,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,
Barton,
Bee,
Capner,
Chandler,
Clifford,
Cook,
Day,
Dickerson,

Dodd,
Drake, sp.,
Dunham,
Dunn,
Earl,
Emley,
Freas,
French,

Jackson,
Lloyd,
Marsh,
Mott,
Robertson,
Stites,
Toy,
Van Blarcom,
[25.]

NAYS.

Messrs. Archer,
Christie,
Conover,
Ewing,
Foster,
Green,

Humphreys,
Kinsey,
Lake,
McDowell,
Seeley,

Stryker,
Townsend,
Van Winkle,
Vroom,
West—16.

Ordered. That the speaker sign the same.

The engrossed bill entitled, An act establishing an independent battalion within the bounds of the second regiment of the Salem brigade,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Barton,
Bee,
Capner,
Chandler,
Christie,
Clifford,
Conover,
Cook,
Day,
Dickerson,
Dodd,

Drake, sp.,
Earl,
Emley,
Ewing,
Foster,
Freas,
Humphreys,
Jackson,
Kinsey,
Lloyd,
Marsh,

Mott,
McDowell,
Robertson,
Seeley,
Stites,
Stryker,
Townsend,
Toy,
Van Blarcom,
Van Winkle,
West—34.

NAYS.

Messrs. Green,

Vroom—2.

Ordered. That the speaker sign the same.

Ordered. That the clerk carry said bills to Council. inform them

that they have been passed by this House, and request their concurrence therein.

The engrossed bill entitled, An act appointing commissioners to examine and report on the situation of the several banks in this state.

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Archer,
Earl,

Foster,
Humphreys,

Kinsey,
Lake—6.

NAYS.

Messrs. Armstrong,
Barton,
Bee,
Chandler,
Christie,
Clifford,
Conover,
Cook,
Day,
Dickerson,
Drake, sp.,

Dunham,
Dunn,
Emley,
Ewing,
Freas,
French,
Lloyd,
Marsh,
Mott,
McDowell,

Robertson,
Seeley,
Stites,
Stryker,
Townsend,
Toy,
Van Blarcom,
Van Winkle,
Vroom,
West—31.

The engrossed bill entitled, An act to incorporate the Monmouth Manufacturing Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Armstrong,
Chandler,
Christie,
Conover,
Cook,
Day,

Dickerson,
Drake, sp.,
Dunn,
Jackson,
Kinsey,
Lloyd,

Marsh,
McDowell,
Van Blarcom,
Van Winkle,
West—17.

NAYS.

Messrs. Archer,
Bee,
Capner,
Clifford,
Dunham,
Emley,
Ewing,

Foster,
Freas,
French,
Green,
Humphreys,
Lake,

Mott,
Seeley,
Stites,
Stryker,
Townsend,
Vroom—19.

The bill entitled, An act respecting the Delaware and Raritan Canal Company,

Was read a second time, and postponed.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act to incorporate certain tenants holding oyster lots under the state, upon rent;

The bill from the House entitled, An act concerning fisheries; and

The bill entitled, An act for the better organization of the cavalry of this state,

Respectively, with amendments—

To which amendments they request the concurrence of the House of Assembly;

Which amendments were severally read and agreed to, and the bills, as amended, ordered to be re-engrossed.

And the message informed, that the Council have passed the bill from the House entitled, An act concerning forcible entries and detainers,

With amendments—

To which they request the concurrence of the House of Assembly;

Which amendments were read, and, together with the bill ordered to lie on the table.

And the message further informed, that the Council have passed the bill from the House of Assembly entitled, An act to exonerate Theresa Parmentier from her recognizance,

Without amendment.

The bill entitled, An additional supplement to the act entitled An act for the punishment of crimes, passed the 18th day of March, 1796.

Was read a second time, and, while under consideration,

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

The speaker laid before the House the petition of Daniel McLaren, late president of the New-Jersey Protection and Lombard Bank, praying the appointment of a committee to investigate his official conduct;

Which petition was read, and ordered to lie on the table.

Mr. Dodd presented a petition from the president, trustees, and officers of the Bloomfield Academy, in Essex county, praying that the students of said institution may be exempted from the performance of militia duty in time of peace;

Which petition was read:

Whereupon Mr. Dodd, with leave, presented a bill entitled, **A further supplement to the act establishing a militia system;**

Which bill was read a first and second times, considered by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, **An additional supplement to the act entitled An act for the punishment of crimes,** passed the 18th day of March, A. D. 1796;

Which, on motion, was postponed to the next session of the legislature.

Mr. Chandler submitted the following resolution:

Resolved, That two hundred lists of the laws passed at this session of the legislature, be printed and distributed amongst the members;

Which resolution was read, and agreed to.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the following bills from the House of Assembly, *viz.*

The bill entitled, **An act to incorporate the Dover Manufacturing Company;**

The bill entitled, **An act supplementary to an act for the preservation of clams and oysters,** passed the 9th day of June, 1820;

And the bill entitled, **An act to authorize Maria Thompson, administratrix, and Mark Thompson, administrator, of Robert C. Thompson, late of the county of Warren, deceased, to convey certain real estate to Jacob Pence, Frederick Lance, Jacob Swackbamer, Abraham Castner, and Peter Baylor; and also to sell and convey other lands of the said Robert C. Thompson, deceased;**

Respectively, without amendment.

And that the Council have passed the following bills from the House of Assembly, *viz.*

The bill entitled, **An act to incorporate the New-Brunswick Insurance Company, in the counties of Middlesex and Somerset;**

And the bill entitled, **An act to incorporate a company for the purpose of rendering the Crosswicks creek navigable;**

Respectively, with amendments—

To which amendments they request the concurrence of the House of Assembly;

Which amendments were read, agreed to, and the bills, as amended, respectively ordered to be re-engrossed.

And the message informed, that the Council have disagreed to the bill from the House of Assembly entitled, **An act to authorize Cornelius Skillman and William Golden to sell certain real estate;**

And that Council had passed the bill from the House entitled, **A supplement to an act entitled An act concerning slaves;**

Without amendment.

The House resumed the consideration of the bill entitled, **An act respecting the Delaware and Raritan Canal Company;**

When the first section being under consideration, on the question of agreeing to the same, the yeas and nays being required, were as follow :

YEAS.

Messrs. Armstrong,
Capner,
Chandler,
Cook,
Day,
Dickerson,
Dodd,
Drake, sp.,

Dunham,
Dunn,
Earl,
Emley,
Ewing,
Foster,
Jackson,
Kinsey,

Marsh,
Robertson,
Seeley,
Stites,
Townsend,
Toy,
Van Blarcom,
[23.

NAYS.

Messrs. Archer,
Bee,
Christie,
Conover,
Freas,

French,
Green,
Humphreys,
Lake,
Mott,

Stryker,
Van Winkle,
Vroom,
West,
Woodhull--15.

So the first section was agreed to.

A motion was then made to amend the bill by adding a second section thereto, and on the question of agreeing to said amendment, the yeas and nays, being required, were as follow :

YEAS.

Messrs. Bee,
Capner,
Christie,
Conover,
Freas,

Green,
Humphreys,
Lake,
Seeley,
Stryker,

Van Winkle,
Vroom,
West,
Woodhull--14.

NAYS.

Messrs. Archer,
Armstrong,
Chandler,
Cook,
Day,
Dickerson,
Dodd,
Drake, sp.,

Dunham,
Dunn,
Earl,
Emley,
Ewing,
Foster,
French,
Jackson,

Kinsey,
Marsh,
Mott,
Robertson,
Stites,
Townsend,
Toy,
Van Blarcom,
[24.

So the second section, proposed as an amendment, was disagreed to.

The bill was then ordered to be engrossed.

The House then went into a nomination of candidates to fill the several offices for which they were respectively named, which were read and compared, and a duplicate sent by the clerk to Council ;

When the House adjourned to nine o'clock to-morrow morning.

WEDNESDAY, December 27.

Nine o'clock—the House met.

The bill entitled, An act to incorporate a company to improve the navigation of the river Delaware, below Easton,

Was called up, and postponed to the next session of the legislature.

The re-engrossed bill entitled, An act for the better organization of the cavalry of this state,

Was read, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Armstrong,
Barton,
Bee,
Capner,
Chandler,
Christie,
Clifford,
Conover,
Day,
Dickerson,
Dodd,

Drake, sp.,
Dunham,
Dunn,
Earl,
Emley,
Ewing,
Foster,
Green,
Humphreys,
Jackson,
Kinsey,
Lloyd,

Marsh,
Mott,
McDowell,
Robertson,
Seeley,
Stites,
Stryker,
Tow send,
Van Winkle,
Vroom,
West,
Woodhull--36.

NAYS.

Messrs. Cook,

Freas—2.

Ordered, That the speaker sign the same.

The re-engrossed bill entitled, An act to incorporate a company to render the Crosswicks creek navigable,

Was read, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

The re-engrossed bill entitled, An act to incorporate the New-Brunswick Insurance Company, in the counties of Middlesex and Somerset,

Was read, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Armstrong,

Bee,
Capner,

Chandler,
Christie,

Messrs. Cook,
Day.
Dickerson,
Dodd,
Drake, sp.,
Dunham,
Dunn,
Emley,
Ewing,
Foster,

Freas,
French,
Green,
Jackson,
Kinsey,
Lake,
Lloyd,
Marsh,
Mott,
Munson,

McDowell,
Robertson,
Seeley,
Stryker,
Townsend,
Toy,
Van Winkle,
Vroom.
Woodhull-35,

NAY.

Mr. Humphreys.

Ordered. That the speaker sign the same.

The re-engrossed bill entitled, An act concerning fisheries,
Was read, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Armstrong,
Barton,
Bee,
Christie,
Conover,
Cook,
Dickerson,
Dodd,
Drake, sp.,
Dunn,

Emley,
Foster,
Freas,
French,
Green,
Humphreys,
Jackson,
Kinsey,
Lake,
Lloyd,
Marsh,

Mott,
Munson,
Robertson,
Stryker,
Townsend,
Toy,
Van Blarcom,
Van Winkle,
West,
Woodhull--32,

NAYS.

Messrs. Capner,
Day,
Ewing,

McDowell,
Seeley,

Stites,
Vroom—7.

Ordered. That the speaker sign the same.

The re-engrossed bill entitled, An act to incorporate certain tenants, holding oyster lots under this state upon rent,
Was read, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,
Armstrong,
Barton,

Bee,
Capner,
Chandler.

Christie,
Cook,
Day.

Messrs. Dickerson,
Dodd,
Drake, sp.,
Dunham,
Earl,
Emley,
E King,
Foster,

Green,
Jackson,
Kinsey,
Marsh,
Mott,
Munson,
Robertson,
Seeley,

Stites,
Stryker,
Townsend,
Toy,
Van Blarcom,
Van Winkle,
Vroom—32.

NAYS.

Messrs. Conover,
French,
Humphreys,

Lake,
McDowell,

West,
Woodhull--7.

Ordered. That the speaker sign the same.

Ordered. That the clerk carry said bills to Council. inform them that the amendments made thereto by Council have been agreed to by this House, and that they have caused said bills to be re-engrossed.

The engrossed bill entitled, A further supplement to the act establishing a militia system,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Bee,
Capner,
Chandler,
Day,
Dickerson,
Dodd,
Drake, sp.,

Dunham,
Ewing,
Green,
Jackson,
Kinsey,
Marsh,
McDowell,

Stites,
Stryker,
Toy,
Van Blarcom,
Van Winkle,
Vroom.
Woodhull--21.

NAYS.

Messrs. Archer,
Armstrong,
Christie,
Conover,
Cook,

Emley,
Foster,
Freas,
Humphreys,
Lloyd,

Munson,
Robertson,
Seeley,
Townsend,
West—15.

The engrossed bill entitled, An act respecting the Delaware and Raritan Canal Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows

YEAS.

Messrs. Armstrong,
Capner,

Chandler,
Cook,

Day,
Dickerson,

Messrs. Dodd,
Drake, sp.,
Dunham,
Dunn,
Earl,
Emley,

Ewing,
Foster,
Jackson,
Kinsey,
Lloyd,
Marsh,

Munson,
Robertson,
Stites,
Townsend,
Toy,
Van Blarcom.
[24.

NAYS.

Messrs. Archer,
Bee,
Christie,
Conover,
Freas,

French,
Green,
Humphreys,
Lake,
Mott,

Seeley,
Stryker,
Van Winkle,
Vroom,
West—15.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

Mr. Marsh submitted the following resolution:

Resolved, by the Council and General Assembly of this state, That the treasurer be, and he is hereby directed to suspend the collection of the tax, which may become due on the capital stock of the Franklin Bank of New-Jersey, until the said bank shall resume their banking operations;

Which resolution was read and agreed to, the speaker ordered to sign the same, and the clerk ordered to carry it to Council, and request their concurrence therein.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act establishing an independent battalion within the bounds of the second regiment of the Salem brigade,

With an amendment—

To which amendment they request the concurrence of the House of Assembly;

Which amendment was read, agreed to, and the bill, as amended, ordered to be re-engrossed.

And the message informed, that the Council have agreed to the amendments made by the House of Assembly to the bill from Council entitled, An act respecting conveyances, and to an act entitled, An act to register mortgages;

And have caused said bill to be re-engrossed.

The bill entitled, An act for the support of the government of this state,

Was read a second time, gone through with by section, and ordered to be engrossed.

Mr. Earl, from the committee on that subject,

Reported a bill entitled, An act to defray incidental charges;

Which bill was read a first and second times, considered by section, and ordered to be engrossed.

The House adjourned to three o'clock in the afternoon.

Three o'clock—the House met.

The engrossed bill entitled, An act for the support of the government of this state.

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,	Earl,	McDowell,
Armstrong,	Emley,	Robertson,
Barton,	Ewing,	Seeley,
Bee,	Foster,	Stites,
Capner,	Freas,	Stryker,
Chandler,	French,	Townsend,
Christie,	Green,	Toy,
Conover,	Humphreys,	Van Blarcom,
Cook,	Jackson,	Van Winkle,
Day,	Kinsey,	Vroom,
Dickerson,	Lloyd,	West,
Drake, sp.,	Mott,	Woodhull-37.
Dunham,		

NAY.

Mr. Dodd.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to defray incidental charges.

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,	Ewing,	McDowell,
Barton,	Foster,	Robertson,
Bee,	Freas,	Seeley,
Christie,	French,	Stites,
Day,	Green,	Townsend,
Dickerson,	Humphreys,	Toy,
Drake, sp.,	Kinsey,	Van Blarcom,
Dunham,	Lloyd,	Vroom,
Dunn,	Marsh,	West,
Earl,	Mott,	Woodhull-32.
Emley,	Manson,	

NAY.

Mr. Cook.

Ordered, That the speaker sign the same.*Ordered*, That the clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

Mr. Green, with leave, presented a bill entitled, An act concerning the New-Jersey Colonization Society ;

Which was read, and postponed to the next session of the legislature.

The re-engrossed bill entitled, An act establishing an independent battalion within the bounds of the second regiment of the Salem brigade,

Was read, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Archer,	Drake, sp.,	Marsh,
Armstrong,	Dunn,	Mott,
Barton,	Earl,	Munson,
Bee,	Emley,	McDowell,
Capner,	Ewing,	Robertson,
Chandler,	Foster,	Seeley,
Christie,	Freas,	Stryker,
Conover,	Humphreys,	Townsend,
Cook,	Jackson,	Toy,
Day,	Kinsey,	Van Blarcom,
Dickerson,	Lloyd,	Van Winkle,

[33]

NAYS.

Messrs. Dodd,	Dunham,	Vroom—3.
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Ordered, That the speaker sign the same.*Ordered*, That the clerk inform Council, that the House have passed said bill,

Without amendment.

The engrossed bill entitled, An act to repay to the board of trustees of Rutgers College a part of the sum of five thousand dollars, paid by them into the treasury of this state.

Was read a third time, and compared.

On the question, shall this bill pass ?

It was decided in the negative, as follows :

YEAS.

Messrs. Christie,	Dickerson,	Green,
Cook,	Dunn,	Kinsey,

Messrs. Lloyd,
Marsh,
Munson,

McDowell,
Stryker,
Van Blarcom,

Van Winkle,
Vroom—14.

NAYS.

Messrs. Archer,
Armstrong,
Barton,
Bee,
Capner,
Conover,
Day,
Drake, sp.,

Dunham,
Earl,
Emley,
Ewing,
Foster,
Freas,
French,
Humphreys,

Mott,
Robertson,
Seeley,
Stites,
Townsend,
Toy,
West—23.

The bill from Council entitled, An act to make the property of turnpike companies or corporations liable to sale on judgment and execution.

Was again read.

On the question recurring, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Armstrong,
Barton,
Dickerson,
Ewing,
Foster,
Freas,

Lloyd,
Marsh,
Munson,
McDowell,
Robertson,

Seeley,
Townsend,
Van Blarcom,
Vroom,
Woodhull--16.

NAYS.

Messrs. Archer,
Bee,
Capner,
Christie,
Cook,
Day,
Drake, sp.,

Dunham,
Dunn,
Earl,
Emley,
French,
Green,

Jackson,
Kinsey,
Mott,
Stites,
Toy,
West—19.

Ordered, That the clerk inform Council that this House have disagreed to said bill.

The bill from Council entitled, A further supplement to the act entitled An act to incorporate societies for the promotion of learning.

Was read a third time.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Archer,	Foster,	McDowell,
Armstrong,	Freas,	Robertson,
Barton,	French,	Seeley,
Capner,	Green,	Stryker,
Christie,	Humphreys,	Townsend,
Cook,	Kinsey,	Toy,
Dickerson,	Lloyd,	Van Blarcom,
Dunham,	Marsh,	Vroom,
Earl,	Mott,	West,
Ewing,	Munson,	Woodhull--36.

NAYS.

Messrs. Day,	Dunn,	Emley—4.
Drake, sp.,		

Ordered, That the speaker sign the same.

Ordered, That the clerk inform Council, that the House have passed said bill,

Without amendment.

The bill from Council entitled, A supplement to the act entitled An act to provide for the publication and distribution of the laws and proceedings of the legislature of this state, and the distribution of the laws of the United States,

Was read a second time, and postponed to the next session of the legislature.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have disagreed to the following bills from the House of Assembly, viz.

The bill entitled, An act concerning banking corporations or bodies politic;

The bill entitled, An act for the more equal representation of the counties of Sussex and Warren in the General Assembly of this state;

The bill entitled, An act for the more equal representation of the counties of Gloucester and Middlesex in the General Assembly of this state, and

The bill entitled, An act for the more equal representation of the counties of Essex, Hunterdon, and Burlington in the General Assembly of this state: and

The Council have passed the bill from the House of Assembly entitled, A further supplement to the acts concerning oysters,

Without amendment.

Mr. Stites submitted the following resolution:

Resolved, That the treasurer of this state be, and he is hereby directed for the future, with all convenient despatch, to have the public and private acts of this state and the law reports stitched and bound in boards, in a manner similar to that in which the

pamphlet laws of the United States are at this time stitched and bound :

Which resolution was read, and agreed to.

The House adjourned to seven o'clock this evening.

Seven o'clock—the House met.

Mr. Marsh, from the committee appointed to communicate with Thomas Gordon, esq., respecting the map of New-Jersey,

Reported, That they waited upon Mr. Gordon, at his office, have examined his map with attention, are much gratified with its accuracy and advanced progress : about one-third of it is now prepared to go into the hands of the engraver ; and the whole, they confidently trust, will be completed previous to the next sitting of the legislature ;

Which report was read, and agreed to.

Mr. Woodhull submitted the following resolution :

Resolved, by the Council and General Assembly of this state, That Charles Parker, treasurer, be authorized and directed to transfer the ten thousand dollars invested in the four and a half per cent. United States' stock, standing in the name of the state, to the fund for the use of free schools ;

Which resolution was read, and disagreed to.

The petition of Daniel McLaren, late president of the New-Jersey Protection and Lombard Bank, praying an investigation into his official conduct,

Was called up, and, on motion of Mr. Green, it was resolved, that the petitioner have leave to withdraw his papers.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act respecting the Delaware and Raritan Canal Company,

With an amendment.

To which amendment they request the concurrence of the House of Assembly ;

Which amendment was read, agreed to, and the bill, as amended, ordered to be re-engrossed.

And the message also informed, that the Council have passed the bill from the House of Assembly entitled, An act for the support of the government of this state,

With an amendment—

To which they request the concurrence of the House of Assembly ;

Which amendment was read, agreed to, and the bill, as amended, ordered to be re-engrossed

And the message further informed, that the Council have passed

a resolution for selling the printing and the engrossing of the bills of both Houses to the lowest bidder;

Which resolution was read, agreed to, and the clerk ordered to inform Council thereof.

The re-engrossed bill entitled, An act respecting the Delaware and Raritan Canal Company,

Was read and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,
Capner,
Chandler,
Cook,
Day,
Dickerson,
Dodd,
Drake, sp.,
Dunham,

Dunn,
Emley,
Ewing,
Foster,
Jackson,
Kinsey,
Lloyd,
Marsh,

Munson,
McDowell,
Robertson,
Stites,
Townsend,
Toy,
Van Blarcom,
Woodhull--25.

NAYS.

Messrs. Barton,
Christie,
Freas,
French,

Green,
Humphreys,
Mott,
Seeley,

Stryker,
Van Winkle,
Vroom,
West—12.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that the amendment made thereto by Council has been agreed to by this House, and that they have caused the said bill to be re-engrossed.

Mr. Christie submitted the following resolution:

Resolved, That the thanks of this House be presented to the honorable George K. Drake, for the able, dignified, and impartial manner in which he has discharged the duties of speaker of this House, during the present session;

Which resolution was read, and unanimously agreed to:

Whereupon the speaker rose, and made an appropriate reply.

Mr. Drake, the speaker, having resigned his office, the House proceeded to the choice of a speaker, when James S. Green and William B. Ewing were nominated; and, on calling the House, the vote was as follows:

For James S. Green.

Messrs. Chandler,
Christie,
Day,

Dodd,
Dunham,
Ewing.

Freas,
French,
Humphreys.

Messrs. Kinsey,
Lloyd,
Munson,
McDowell.

Robertson,
Stryker,
Van Blarcom,
Van Winkle,

Vroom,
West,
Woodhull--20.

For William B. Ewing.

Messrs. Archer,
Armstrong,
Bee,
Capner,
Cook,
Dickerson,

Drake, sp.,
Earl,
Emley,
Foster,
Green,
Jackson,

Marsh,
Mott,
Seeley,
Stites,
Townsend,
Toy—18.

Whereupon it appearing that James S. Green, having a majority of the votes of the members present, he was declared to be duly elected speaker, and the clerk was ordered to inform Council thereof.

The House adjourned to seven o'clock to-morrow morning.

THURSDAY, December 28.

Seven o'clock—the House met.

Mr. Dunn, from the committee to whom was referred the petition of a number of the inhabitants in the county of Middlesex, praying for an act to compel the Washington Canal Company to erect a bridge over said canal,

Reported, That it is inexpedient to grant the prayer of the petitioners:

Which report was read, and agreed to.

Mr. Earl submitted the following resolution:

Resolved, That the deed executed by Samuel Cogswell and Ann his wife, vesting in the state of New-Jersey the title to a certain lot of land in the city of Burlington, whereon is erected a fire-proof office for the safe keeping of the records of the surveyor-general of the western division of said state, be deposited in the secretary's office of said state;

Which resolution was read, and agreed to.

The re-engrossed bill entitled, An act for the support of the government of this state,

Was read, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that the amendments made thereto by Council have been agreed to

by this House, and that they have caused said bill to be re-engrossed.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council do adhere to their amendment to the bill from the House of Assembly entitled, A further supplement to the act entitled An act relative to forcible entries and detainers ; and

That the Council have passed the bill from the House of Assembly entitled, An act to defray incidental charges,

With amendments—

To which amendments they request the concurrence of the House of Assembly ;

Which amendments were read, and disagreed to, and the clerk ordered to inform Council accordingly.

And the message informed, that the Council have passed a bill entitled, An act to authorize Nancy Drake and Lydia Phillips to convey certain real estate,

To which bill they request the concurrence of the House of Assembly ;

Which bill was read a first and second times, gone through with by section, and ordered a third reading.

The bill from Council entitled, An act to authorize Nancy Drake and Lydia Phillips to convey certain real estate,

Was read a third time.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Archer,
Barton,
Capner,
Chandler,
Christie,
Clifford,
Cook,
Day,
Dodd,

Dunn,
Emley,
Foster,
Freas,
French,
Green,
Humphreys,
Kinsey,
Lloyd,

Munson,
McDowell,
Seeley,
Stryker,
Townsend,
Van Blarcom,
Vroom,
Woodhull—28.

NAYS.

Messrs. Mott,

Toy—2.

Ordered, That the speaker sign the same.

Ordered, That the clerk inform Council that the House have passed said bill,

Without amendment.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have disagreed to the bill from the House of Assembly entitled, An act to divorce Ann Coward from her husband Thomas Coward, jun., and

That the Council have passed a resolution authorizing the treasurer to subscribe for certain books, &c.,

To which resolution they request the concurrence of the House of Assembly;

Which resolution was read, disagreed to, and the clerk ordered to inform Council accordingly.

And the message informed, that the Council had *adhered* to their first amendment to the bill from the House of Assembly entitled, An act to defray incidental charges; and have receded from their second amendment to said bill:

Whereupon the House resolved to recede from their disagreement to the first amendment made by Council to said bill, agreed to said first amendment, and ordered the said bill to be re-engrossed.

The re-engrossed bill entitled, An act to defray incidental charges,

Was read and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Barton,	Ewing,	Stites,
Capner,	Foster,	Stryker,
Chandler,	Green, sp.,	Townsend,
Christie,	Lloyd,	Toy,
Day,	Marsh,	Van Blarcom,
Dunham,	Mott,	Van Winkle,
Dunn,	McDowell,	Vroom,
Earl,	Robertson,	West,
Emley,	Seeley,	Woodhull--27.

NAY.

Mr. Conover.

Ordered, That the speaker sign the same.

Ordered, That the clerk carry said bill to Council, inform them that the amendment made thereto by Council has been agreed to by this House, and that they have caused said bill to be re-engrossed.

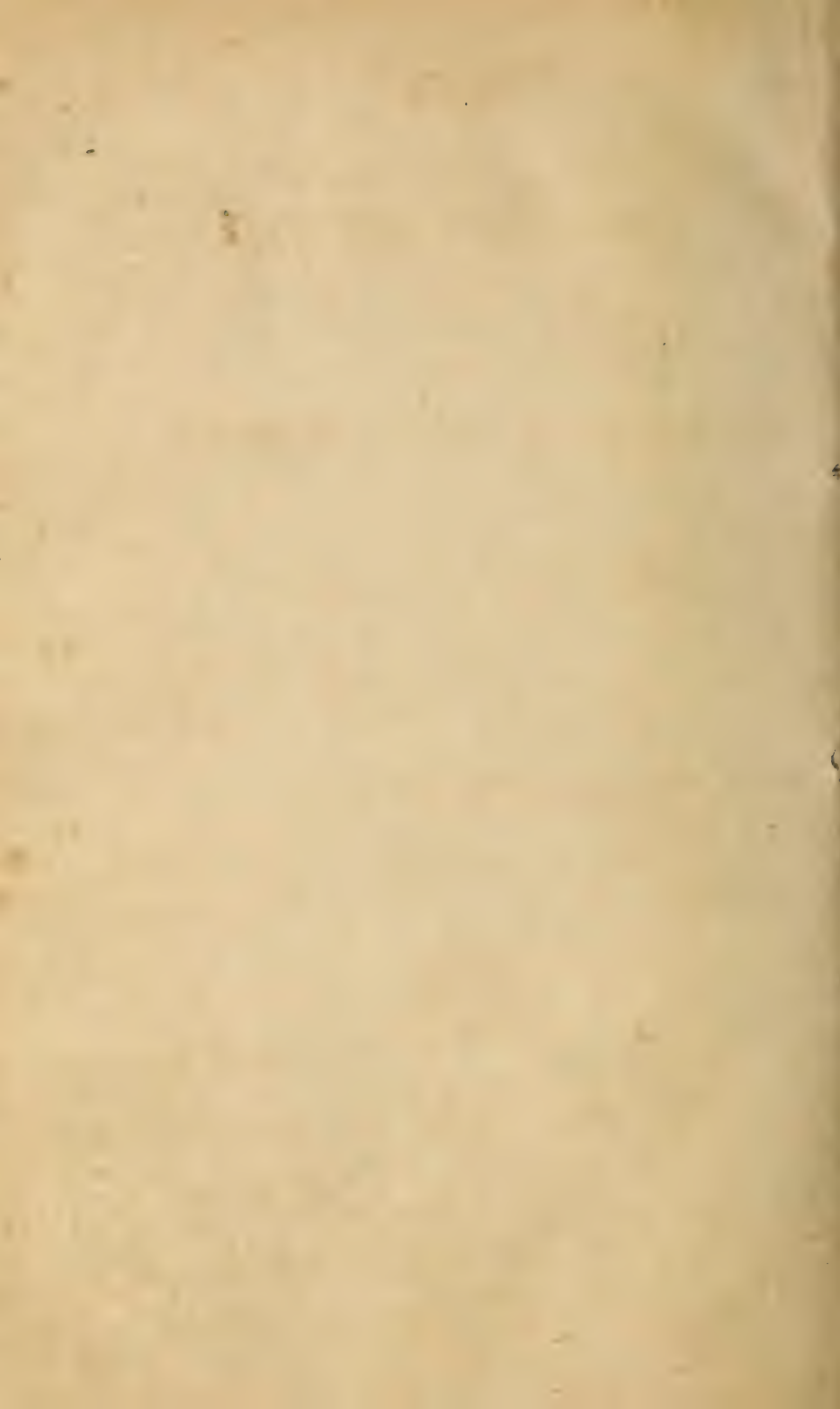
Mr. Stites submitted the following resolution:

Resolved, That the thanks of this House be presented to the honorable James S. Green, for the able, impartial, and dignified manner with which he has discharged his duties, as speaker of this House;

Which resolution was read, and agreed to *nem. con.*

The House then rose *sine die*.





VOTES
AND
PROCEEDINGS
OF THE
FIFTY SECOND
GENERAL ASSEMBLY,
OF THE
State of New Jersey,

AT A SESSION BEGUN AT TRENTON, ON THE TWENTY-THIRD DAY OF OCTOBER, ONE THOUS-
AND EIGHT HUNDRED AND TWENTY-SEVEN.

BEING THE FIRST SITTING.



WOODBURY, N. J.
PRINTED BY P. J. GRAY.

.....
1828.

LIST OF MEMBERS
OF THE
LEGISLATIVE COUNCIL.



BERGEN,—the Honorable Nathaniel Board.	
ESSEX,	Samuel Pennington.
MORRIS,	Silas Cook, V. P.
SUSSEX,	Samuel Fowler.
WARREN,	Jeremy Mackey.
HUNTERDON,	George Maxwell.
SOMERSET,	Andrew Howell.
MIDDLESEX,	James T. Dunn.
MONMOUTH,	Henry D. Polhemus.
BURLINGTON,	Caleb Newbold.
GLOUCESTER,	Christopher Sickler.
SALEM,	Israel R. Clawson.
CUMBERLAND,	John Trenchard.
CAPE MAY,	Joshua Swain.

LIST OF MEMBERS
OF THE
GENERAL ASSEMBLY.



BERGEN.

David I. Christie, Peter J. Terhune, and Cornelius D. Van Riper.

ESSEX.

Oliver S. Halsted, Stephen D. Day, Dennis Coles, and Amzi Edd.

MORRIS.

Ephraim Marsh, David Mills, Stephen Thompson, and Walter Kirkpatrick.

SUSSEX.

Hiram Munson, and Joseph Chandler.

WARREN.

Jacob Armstrong, and Jonathan Robbins.

HUNTERDON.

Enoch Clifford, Thomas Capner, Garret D. Wall, and Isaac G. Farlee.

SOMERSET.

Peter D. Vroom, James D. Stryker, and James S. Green.

MIDDLESEX.

Charles Carson, James Parker, and Andrew Snowhill.

MONMOUTH.

John T. Woodhull, James West, James Hopping, and James Lloyd.

BURLINGTON.

Gershom Mott, Joshua S. Earl, John Emley, and Isaiah Toy.

GLOUCESTER.

Thomas Bee, Joseph Porter, and John W. Mickle.

SALEM.

Henry Freas, William N. Jeffers, and Thomas Sinnickson.

CUMBERLAND.

William B. Ewing, Elias P. Seeley, and Nathaniel Foster.

CAPE MAY.

Israel Townsend.

VOTES AND PROCEEDINGS
OF THE
FIFTY SECOND
GENERAL ASSEMBLY.

TRENTON, *October 23, 1827.*

THIS being the time and place appointed by law for the meeting of the General Assembly, the following persons, *to wit* : David I. Christie, Peter J. Terhune, and Cornelius D. Van Riper, as representatives for the county of Bergen ; Oliver S. Halsted, Stephen D. Day, Dennis Coles, and Amzi Dodd, as representatives for the county of Essex ; Ephraim Marsh, David Mills, Stephen Thompson, and Walter Kirkpatrick, as representatives for the county of Morris ; Hiram Munson, and Joseph Chandler, as representatives for the county of Sussex ; Jacob Armstrong, and Jonathan Robbins, as representatives for the county of Warren ; Enoch Clifford, Thomas Capner, and Garret D. Wall, as representatives for the county of Hunterdon ; Peter D. Vroom, and James D. Stryker, as representatives for the county of Somerset ; Charles Carson, James Parker, and Andrew Snowhill, as representatives for the county of Middlesex ; John T. Woodhull, and James West, as representatives for the county of Monmouth ; Gershom Mott, Joshua S. Earl, John Emley, and Isaiah Toy, as representatives for the county of Burlington ; Thomas Bee, Joseph Porter, and John W. Mickle, as representatives for the county of Gloucester ; Henry Freas, William N. Jeffers and, Thomas Sinnickson, as representatives for the county of Salem ; William B. Ewing, Elias P. Seeley, and Nathaniel Foster, as representatives for the county of Cumberland ; and Israel Townsend, as a representative for the county of Cape May, appeared in the House, and produced the respective certificates

of their election ; which being read and approved, Thomas Capner, esq. was appointed, agreeably to the constitution, to qualify John T. Woodhull, esq. who being duly sworn, took his seat ; and the remaining members present, being qualified by the said John T. Woodhull, esq. took their seats in the House.

On motion of Mr. Parker, it was resolved, that in choosing the officers of the House, the members vote by ballot.

The members then proceeded to the choice of a Speaker, whereupon William B. Ewing, John T. Woodhull, and Amzi Dodd, were nominated to that office.

On motion, Messrs. Vroom and Earl were appointed tellers.

On counting the ballots, it appeared that William B. Ewing had twenty votes, Amzi Dodd twelve, and John T. Woodhull seven.

Whereupon, Mr. Ewing was declared to be duly elected Speaker, and accordingly took the chair.

The House then proceeded to the choice of a Clerk, when William L. Prall, Franklin Davenport, Daniel C. Croxall, and John Neal, were nominated to that office.

On counting the ballots, it appeared that William L. Prall had eighteen votes, Franklin Davenport ten, Daniel C. Croxall seven, and John Neal four.

No one candidate having a majority of all the votes present, a second ballot was ordered.

On counting the ballots, it appeared that William L. Prall had eighteen votes, Franklin Davenport six, Daniel C. Croxall nine, and John Neal six.

No one candidate having a majority of all the votes present, a third ballot was ordered.

On counting the votes, it appeared that William L. Prall had sixteen votes, Daniel C. Croxall eleven, Franklin Davenport four, and John Neal eight.

No one candidate having a majority of all the votes present, a fourth ballot was ordered.

On counting the votes, it appeared that William L. Prall had twenty-one votes, Daniel C. Croxall eleven, and John Neal seven.

Whereupon, it appearing that William L. Prall having a majority of all the votes present, he was declared duly elected Clerk of the House.

Ordered, That the Clerk inform the Council, that the House of Assembly have this day met, and elected William B. Ewing, esq. their Speaker, and William L. Prall their Clerk, and have proceeded to business.

The house then proceeded to the election of a Doorkeeper, whereupon William Gould, Martin C. How, Samuel B. Scattergood, and James Hillman were nominated.

On counting the ballots, it appeared that William Gould had twenty-three votes, Samuel B. Scattergood ten, Martin C. How three, and James Hillman two.

Whereupon, it appearing that William Gould having a majority

of all the votes present, he was declared to be duly elected Door-keeper.

Ordered, That Messrs. Dodd, Woodhull and Stryker be a committee to report rules and regulations for the government of the House.

Ordered, That Messrs. Earl, Christie, and Marsh be a committee to report the unfinished business of the last session.

The House adjourned to ten o'clock to-morrow morning.

WEDNESDAY, October 24, 1827.

Ten o'clock the House met.

James Hopping, a representative for the county of Monmouth, and Isaac G. Farlee, a representative for the county of Hunterdon, appeared, produced the respective certificates of their election, were qualified, and took their seats in the House.

Mr. Dodd, from the committee appointed to prepare rules for the government of the House,

Reported certain rules and orders, which were read and adopted, and one hundred copies ordered to be printed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have met, formed a quorum, elected Silas Cook, esq. their Vice-President, and Daniel Coleman, Secretary, and have proceeded to business.

Mr. Earl, from the committee appointed to bring forward the unfinished business of the last session,

Reported the following items of unfinished business, remaining on the files of the House :

No 1. A bill entitled, An act to incorporate the Mechanics' Bank of Orange.

No. 2. A bill entitled, An act granting assistance to the New Jersey Colonization Society.

No. 3. A bill entitled, An act to incorporate a company to improve the navigation of the river Delaware, below Easton.

No. 4. A bill entitled, An act directing the time and mode of electing Representatives in Congress, and Electors of President and Vice President, on the part of this state, in districts.

No. 5. A bill entitled, An act concerning free people of colour.

No. 6. A bill entitled, An additional supplement to the act entitled, An act for the punishment of crimes, passed the 18th day of March, A. D. 1790

No. 7. A bill entitled, An act for the sale of the State Lands at Paterson.

No. 8. A bill entitled, A supplement to the act entitled, An act to provide for the publication and distribution of the Laws, and proceedings of the Legislature of this State, and the distribution of the Laws of the United States.

No. 9. A report of the committee on the petition of Cornelius Rulofson, for divorce. (Leave given to bring in a bill on the second Wednesday of the present session.)

No. 10. A report on the petition of Ichabod Lore, of Cumberland county, for a law, authorizing him to embank his meadow.

No. 11. A report of committee on the petition of certain inhabitants of Gloucester and Salem counties, for the impeachment of William Harrison, esq.

No. 12. A report of committee on the subject of altering and establishing the division lines of Somerset and Middlesex counties.

No. 13. A report of committee on the application for incorporating Camden, in the county of Gloucester.

Which report was read, and ordered to be printed.

Mr. Seeley presented a petition from Michael Swing, executor of the last will and testament of Elizabeth Blew, late of Cumberland county, praying for a law to enable him to execute deeds of conveyance to the purchasers of land, late the property of said deceased.

Which petition was read, and committed to Messrs. Seeley, Day, and Armstrong.

Mr. Earl, of Burlington, Mr. Townsend, of Cape May, Mr. Freas, of Salem, Mr. Bee, of Gloucester, and Mr. Mills, of Morris, severally presented the abstracts of rateables, of their respective counties.

Which were ordered to lie on the table.

On a representation made by Mr. Woodhull, that a member of the General Assembly of this State, for the county of Monmouth, had been arrested by the Sheriff of said county, on his way to take his seat in this house, and is still detained in the custody of said Sheriff,

It was, on motion, ordered, that a committee be appointed to enquire, whether there existed any way to effect the release of the said member from the duration in which he is now held; and if so, to devise and adopt the measures most proper for procuring his presence here.

Whereupon, Messrs. Woodhull, Vroom and Parker, were appointed said committee.

Mr. Dodd submitted the following resolutions:

Resolved, That the settlement of the accounts of the Treasurer, and the subject of finances of the State, be referred to a select standing committee.

Resolved, That all applications and petitions for the incorporation of manufacturing and banking companies, be referred to a select standing committee.

Resolved, That the subject of the internal improvement of the State, in relation to roads and canals, be referred to a select standing committee.

Resolved, That petitions and applications for divorces, be referred to a select standing committee.

Resolved, That the subject of education and free schools, be referred to a select standing committee.

Which resolutions were read, and ordered to lie on the table.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Christie presented a petition from Robert Thomson, of Bergen county, praying for a law to authorize him and his associates, to cut a canal across the land of the said petitioner, to connect the waters of Newark Bay, with those of New York Bay.

Which petition was read, and committed to Messrs. Christie, Halsted, and Thompson.

Mr. Woodhull, from the committee to which was referred the matter relative to the arrest and detention of James Lloyd, one of the members elect of this House, by the Sheriff of the county of Monmouth,

Reported, That they have examined into the matter referred to them, and find that the said James Lloyd was, at the last annual election, duly elected a member of the General Assembly of this state, from the county of Monmouth, for the ensuing year; and that after said election, and while the said James Lloyd was on his way from home, to take his seat as a member of this House, he was arrested by the said Sheriff of the county of Monmouth, on a writ of *capias ad satisfaciendum*, issued out of the Supreme Court of this state, and is now in custody of the said Sheriff.

The committee, under these circumstances, entertaining no doubt of the power of this House to protect its members from arrest in civil cases, recommended the adoption of the following resolutions:

Resolved, That the arrest of the said James Lloyd, by the Sheriff of the county of Monmouth, on a *capias ad satisfaciendum*, after he, the said James Lloyd, was duly elected a member of the General Assembly of this State, and while he, the said James Lloyd, was on his way from home, to take his seat as a member of this House, was illegal, and a violation of the rights and privileges of this House, and of the said James Lloyd, and his constituents.

Resolved, That the Speaker of this House, do issue his order, in writing, to the said sheriff of the county of Monmouth, commanding him forthwith to appear before this House, and there produce the said James Lloyd, to the end that such further proceedings may be had in the premises, as the House may then direct.

Which resolutions were read and agreed to.

Mr. Foster, of Cumberland, and Mr. Robbins, of Warren, severally presented the abstracts of rateables, of their respective counties.

Which were ordered to lie on the table.

Mr. Woodhull submitted the following resolution:

Resolved, That the Clerk inform Council, that the House of Assembly is ready to go into a joint meeting, for the purpose of appointing a Governor, Judge of the Supreme Court, Attorney General, Clerks and Surrogates of Counties, and such other officers as may be deemed expedient, and request Council to appoint the time and place of said meeting.

Which resolution was read, agreed to, and the Clerk ordered to inform Council accordingly.

The House proceeded to the consideration of the resolutions for the appointment of select standing committees, submitted by Mr. Dodd, this morning: and, after the first and second were disagreed to, the remainder were withdrawn.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council will be ready to go into a joint meeting, for the purpose of appointing a Governor, Judge of the Supreme Court, Attorney General, Clerks and Surrogates of counties, and such other officers as may be deemed expedient, on Friday morning next, at ten o'clock, in the Assembly Room.

Mr. Mills presented the petition of George P. Wooley, of the county of Morris, now in confinement in the jail of said county, and praying to be liberated.

Which petition was read, and committed to Messrs. Mills, Robbins, and Stryker.

Ordered, That Messrs. Capner, Parker, Jeffers, Marsh, and Porter, be a committee to settle the accounts of the Treasurer.

Ordered, That Messrs. Vroom, Dodd, Bee, Sinnickson and Snowhill, be a committee to settle the accounts of the State Prison.

Ordered, That Messrs. Earl, Seeley, and Armstrong, be a committee to prepare a Support bill.

Ordered, That Messrs. Chandler, Stryker, and Freas, be a committee to prepare and report an Incidental bill.

Ordered, That Messrs. Christie, Farlee, and Foster, be a committee to bring in a Tax bill.

Ordered, That the Clerk inform Council of the appointment of the two first named committees, and request Council, on their part, to appoint correspondent committees.

The House adjourned to ten o'clock to morrow morning.



THURSDAY, October 25, 1827.

Ten o'clock the House met.

Mr. Christie presented a petition from a number of the inhabitants of Bergen county, praying for a law to authorize the construc-

tion of a turnpike road, from Fort Lee, on the Hudson river, to Teaneck, to be styled the Hudson Turnpike Company, in the county of Bergen.

Which petition was read, and committed to Messrs. Christie, Coles, and Kirkpatrick.

Mr. Parker presented the petition of a number of the inhabitants of Somerset and Middlesex counties, praying for the incorporation of a company for the purpose of searching for mineral coal.

Which petition was read, and committed to Messrs. Parker, Wall, and Mickle.

Mr. Marsh presented the petition of the President, in behalf of the Board of Directors of the State Bank at Morris, praying a renewal of their charter.

Which petition was read, and committed to Messrs. Marsh, Mott, and West.

Mr. Dodd presented the petition of the Mechanics' Fire Insurance Company, located at Newark, praying the repeal of the twentieth section of their charter, which imposes a tax of one half per cent. on their capital paid in.

Which petition was read, and committed to Messrs. Dodd, Toy, and Munson,

Mr. Jeffers presented the petition of the Finns Point Meadow Company, of Salem county, praying the repeal of their charter.

Which petition was read, and committed to Messrs. Jeffers, Foster, and Hopping.

Mr. Christie presented the petition of Cornelius S. Van Wagoner and others, of Bergen county, praying the passage of a law to authorize them to build a dam across the Passaic river, at a point adjacent to the land of Andrew P. Hopper.

Which petition was read, and committed to Messrs. Christie, Halsted, and Clifford

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have appointed Messrs. Polhemus and Pennington, a committee on their part, to settle the accounts of the Treasurer, and Messrs. Howell and Maxwell, a committee to settle the accounts of the State Prison.

Mr. Jeffers submitted the following resolution :

Resolved, That a committee be appointed to enquire whether any, and if any, what amendments are necessary to the militia laws of this State.

Which resolution was read, agreed to, and Messrs. Jeffers, Carson, and Wall, accordingly appointed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Seeley presented a petition of certain owners of Salt Marsh,

in Fairfield, Cumberland county, known by the name of the Big Gate, praying for a law to regulate the pasturage of the same.

Which petition was read, and committed to Messrs. Seeley, Woodhull, and Van Riper.

Mr. Earl, with leave, presented a bill, entitled An act relative to Jurors.

Which bill was read, ordered a second reading, and to be printed.

The House adjourned to ten o'clock to-morrow morning.



FRIDAY, October 26, 1827.

Ten o'clock the House met.

The Sheriff of Monmouth county, in pursuance of the order of the Speaker, having appeared at the bar of the House, and delivered up Mr. Lloyd, a member of said county, whom he had arrested and detained, while the said member was on his way to take his seat; and having respectfully represented, that in the arrest and detention of Mr. Lloyd, he had no intention of violating the privileges of the House, of the member elect, or the rights of the people whom he was chosen to represent;

Whereupon, on motion, the House ordered the said Sheriff to be discharged from further accountability to this House.

Mr. Lloyd, a representative from the county of Monmouth, appeared, produced the certificate of his election, was qualified, and took his seat in the House.

Mr. Wall presented the petition of Rebecca Spencer, of the Island of St. Bartholomew, in the West Indies, praying for a law to authorize Robert Montgomery, surviving executor of Francis Leonard, dec'd. to pay over to her the monies due to the said deceased, without taking a refunding bond, and for such other relief as the Legislature may afford.

Which petition was read, and committed to Messrs. Wall, Toy, and Dodd.

Mr. Vroom presented the petition of John W. Hall, and others, part of the executors of William Hall, late of Somerset county, deceased, complaining of inconvenience and difficulty in settling the estate of the decedant, and praying that part of the executors, or some other persons, may be empowered to execute conveyances of the land of the said deceased.

Which petition was read, and committed to Messrs. Vroom, Townsend, and Munson.

On motion of Mr. Carson, No. 6 of unfinished business, A bill entitled an additional supplement to the act entitled, An act for the punishment of crimes, passed the 18th day of March, 1796.

Was called up, and committed to Messrs. Carson, Wall, and Sinnickson.

Mr. Parker submitted the following resolution :

Resolved, That a committee be appointed to enquire into the expediency of making a canal, at the expense of the State, to connect the waters of the Delaware and Raritan rivers, and that they report by bill, or otherwise.

Which resolution was read, and committed to Messrs. Parker, Vroom, Wall, Earl, Jeffers, Porter, and Woodhull.

The Council came into the Assembly room ; the two Houses went into joint meeting, and after going through the appointments, the joint meeting rose ; the Speaker resumed the chair ; the House came to order, and adjourned to ten o'clock Monday morning.



MONDAY, October 29, 1827.

Ten o'clock the House met.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Mott presented the petition of Phineas Bunting, administrator, *de bonis non*, of Frederick Brooks, deceased, praying for a law to authorize him to convey the real estate of said deceased.

Which petition was read, and committed to Messrs. Mott, Coles, and Kirkpatrick.

Mr. Munson, of Sussex, Mr. Capner, of Hunterdon, and Mr. Christie, of Bergen, severally presented the abstracts of rateables of their respective counties.

Which were ordered to lie on the table.

The House adjourned to ten o'clock to-morrow morning.



TUESDAY, October 30, 1827.

Ten o'clock the House met.

Mr. Parker read a communication from his excellency De Witt Clinton, Governor of New York, transmitting through him, for the

state of New Jersey, a copy of the canal documents of the state of New York.

Which communication was read, and the documents ordered to be placed in the State Library.

Mr. Halsted presented the memorial of Francis Stanton, Peter Kean, and L. Baker, committee of the managers of the Delaware and Raritan Canal Company, acting as trustees, praying the restoration to them of the residue of the bonds of one hundred thousand dollars, in the hands of Charles Parker, esq.

Which memorial was read, and committed to Messrs. Halsted, Parker, and Marsh.

Mr. Kirkpatrick presented the petition of Cadwallader D. Colden, President, by order and on behalf of the Board of Directors of the Morris Canal and Banking Company, praying for the passage of a law to authorize the extension of said canal, from the Passaic to the Hudson river, through the towns of Newark and Jersey city.

Which petition was read, and committed to Messrs. Kirkpatrick, Dodd, and Earl.

Mr. Christie presented the authenticated statement of the Washington Banking Company, at Hackensack, N. J. made in pursuance of their act of incorporation.

Which statement was read, and ordered to lie on the table.

Mr. Dodd presented the remonstrance of a number of the inhabitants of the townships of Saddle River and Acquackanonk, in Bergen and Essex counties, against the passage of a law for the construction of dams across the Passaic river.

Which remonstrance was read, and referred to the committee, to whom was committed the petition on that subject.

In pursuance of leave given at the last session, Mr. Bee presented a bill, entitled An act to incorporate a part of the township of Newton, in the county of Gloucester.

Which bill was read, and ordered a second reading.

Mr. Jeffers, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to repeal an act therein mentioned.

Which bill was read, and ordered a second reading.

On motion of Mr. Day, No. 1 of unfinished business, a bill entitled An act to incorporate the Mechanics' Bank of Orange,

Was called up, read, and ordered a second reading.

On motion of Mr. Toy, No. 4 of unfinished business, a bill, entitled An act directing the time and mode of electing Representatives in Congress, and Electors of President and Vice President of the United States, on the part of this State, in districts,

Was called up, and committed to Messrs. Toy, Hopping, and Townsend.

On motion of Mr. Christie, No. 7 of unfinished business, a bill, entitled An act for the sale of the State Lands at Paterson,

Was called up, and committed to Messrs. Christie, Stryker, and West.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Parker presented the petition of a number of the inhabitants of Somerset and Middlesex counties, praying for a law to authorize the construction of the Delaware and Raritan Canal, at the expense of the State.

Which petition was read, and referred to the committee on that subject.

Mr. Christie presented the remonstrance of a number of the inhabitants of Bergen township, in Bergen county, against the contemplated canal across Bergen neck, to connect the Passaic and Hudson river.

Which remonstrance was read, and referred to the committee on that subject.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed a bill, entitled A further supplement to an act, entitled An act to empower the Governor of this State, to incorporate a company to improve the North Branch of Rancocas creek; passed March 16th, 1795.

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading.

Mr. Jeffers submitted the following resolution:

Resolved, That a committee be appointed to enquire whether any, and if any, what alteration is expedient in an act entitled, An act relative to the Supreme and Circuit Courts.

Which resolution was read, agreed to, and Messrs. Jeffers, Vroom, and Wall accordingly appointed.

Mr. Carson submitted the following preamble and resolutions:

Whereas the Legislature of New Jersey have heretofore taken into consideration the very great importance of free schools; and, in their wisdom, did appropriate a certain proportion of the taxes for the purpose of creating a fund for the support thereof, with an intent that whenever the said fund should accumulate to a sufficient amount, then to establish and regulate the same; and, whereas it is the opinion of many citizens of this state, that the aforesaid above fund has accumulated to such an amount as will justify a commencement thereof—Therefore,

Resolved, That a committee be appointed to take the same into consideration, and report by bill, or otherwise, thereon: and that Council be requested to appoint a correspondent committee

Which preamble and resolution were read, and ordered to lie on the table.

Mr. Parker offered the following resolution :

Resolved, That this House will hold an adjourned sitting.

Which resolution was read, and ordered to lie on the table.

The House adjourned to ten o'clock to-morrow morning.



WEDNESDAY, October 31, 1827.

Ten o'clock the House met.

Mr. Capner, from the joint committee of Council and Assembly, appointed to settle the accounts of the Treasurer,

Reported said accounts, and vouchers for the same, as follows .



DR. *Charles Parker, Treasurer, in Account current with*

1826.

Dolls Cts.

Oct.	24.	To a balance in the Treasury, on settlement this day,		27,146	58
Nov.	29.	To received from Attorney General, for a debt due from David Mills, late sheriff,	130		
Dec.	8.	To received from State Bank at Newark, for arrears of Tax due in January last,	100		
	18.	To received on account of tax due from Hunterdon,	198	80	
	20.	To do. do.	167	29	
	22.	To do. do. Burlington,	59	04	
				<hr/>	655 13
				<hr/>	
Amount carried forward.				27,801	71

The State of New Jersey.

CONTRA

CR.

1826.

Dolls. Cts.

Oct. 26.	By paid Sheriff of Monmouth, for bringing to State Prison, two prisoners,	17	14	
	Sheriff of Monmouth, for two taxed bills of cost,	140	31	
Nov. 1.	Brigade Inspector of Bergen, his salary for 1826,	30		
9.	Sheriff of Bergen, for bringing to State Prison, a prisoner,	28	75	
	Sheriff of Bergen, for a taxed bill of costs,	17	95	
9 & 13.	{ 20 inquisitions from Bergen, \$266 65 John Bellerjeau, Sergeant at Arms,	4		
		270	65	
15.	Brigade Inspector of Gloucester	30		
	For tuition for two deaf and dumb persons in New York, 6 months,	150		534 80
	John Milledge, for his services as Door Keeper for Court of Chancery,	8		
18.	Ephraim Bateman, esq. for his services as Vice President of Council,	117		
	Unice Platt, for 6 months' pension,	20		
20.	Elizabeth Kinsley, for one year and eight months' pension,	66	67	
	Sheriff of Burlington, for transporting a prisoner, &c.	8		
	Sheriff of Burlington, a bill of cost,	48	51	
	Sarah Wood, for 6 months' pension,	20		
				438 18
21.	G. H. Ford, esq. his semi annual salary and holding five Circuits,	712		
22.	William Halsted, Law Reporter, his semi annual salary,	100		
Nov. 23.	Inquisition from Hunterdon, Francis S. Wiggins, for printing 2d part of 3d vol. of Halsted's Reports,	15	24	
		130		
24.	Lydia Wood, for 6 months' pension,	\$ 20		
	Lydia Bestbrook, for 6 months' pension.	120		
		140		

Dr.

Charles Parker, Treasurer.

1826.

Dolls. Cts.

Amount brought forward,

27,801 71

Dec. 23. To received from Collector of Salem,

for tax,

1078 31

25. For balance of Hunterdon tax,

1901 84

26. From Collector of Middlesex, for tax,

1626 69

Nicholas Borram, for oyster rents,

32

4638 84

Amount carried forward,

32,440 55

CONTRA.		CR.	
1826.		Dolls. Cts.	
Dec. 6.	By paid Sheriff of Cumberland, for transporting a prisoner, &c.	28 75	
	Do. of do. for a bill of costs,	15 69	1125 99
9.	Sheriff of Warren, for transporting a prisoner, &c.	23 67	
	Do. of Warren, for a taxed bill of costs,	42 88	
15.	Daniel Fenton, for books, for Library,	21 68	
	Sheriff of Salem, for transporting a prisoner, &c.	32 42	
	Do. of do. for a taxed bill of costs,	52 55	
			188 89
23.	For 5 inquisitions from Burlington, Sheriff of Middlesex, for bringing a prisoner to State Prison,	10 80	
	Do. of do. for a bill of costs,	29 35	
	Eight inquisitions from Salem, John N. Simpson, as per account, for his relief,	115 68	
		100	
25.	Three inquisitions from Hunterdon,	44 44	
28.	Caleb Newbold, member of Council,	202 50	
	George Maxwell, do.	205 20	
			767 01
	Jeremy Mackey, do.	210 60	
	Joshua Swain, do.	234	
	Silas Condit, do.	213	
	Andrew Howell, do.	208 80	
	Charles Board, do.	225	
	Henry D. Polhemus, do.	207	
	Israel R. Clawson, do.	219	
	Robert McChesney, do.	202 50	
			1719 90
	Thomas C. Ryerson, do.	195	
	John Moore White, do.	201	
	Silas Cook, Vice President,	239	
	Ephraim Marsh, member of Assembly,	219	
	George K. Drake, Speaker,	216	
	John D. Jackson, member of Assembly, do.	219	
	Joseph Dickerson, do.	219	
			1538
	Charles French, do.	214 70	
	Daniel Lake, do.	225	

Dr.

Charles Parker, Treasurer.

1825.

Amount brought forward,

Dolls. Cts.
32,440 55

Amount carried forward,

32,440 55

		CONTRA.	CR.
			Dolls. Cts.
1826.			
Dec. 28.	By paid Thomas Bee, member of		
	Assembly,	212 10	
	Henry Freas, do.	219 90	
	Samuel Humphreys, do.	219	
	Benjamin Archer, do.	219	
	Joseph Chandler, do.	225	
		<hr/>	1534 50
	Archibald Roberstson, do.	213	
	James T. Dunn, do.	205	
	James Cook, do.	202 50	
	John T. McDowell, do.	204	
	William B. Ewing, do.	223 88	
	Elias P. Seeley, do.	222	
	Nathaniel Foster, do.	225	
	John T. Woodhull, do.	205 50	
		<hr/>	1700 89
	Joseph Conover, do.	213	
	James West, do.	213	
	James Lloyd, do.	213	
	David I. Christie, do.	223	
	Cornelius Vanwinkle, do.	219	
	Charles Kinsey, do.	227 20	
	James S. Green, do.	201	
	Peter D. Vroom, do.	207	
		<hr/>	1721 20
	James D. Stryker, do.	204	
	Brant Van Blarcum, do.	220 20	
	Amzi Dodd, do.	216	
	Stephen D. Day, do.	216	
	William Stiles, do.	216	
	Joshua Townsend, do.	234	
	Jacob Armstrong, do.	216	
		<hr/>	1522 20
	Hiram Munson, do.	219	
	Thomas Capner, do.	205 20	
	Enoch Clifford, do.	208 80	
	John Barton, do.	205 50	
	Asa C. Dunham, do.	208 20	
	Gershom Mott, do.	198	
	John Emley, do.	202 50	
		<hr/>	1447 20
	Isaiah Toy, do.	206	
	Joshua S. Earl, do.	204	
	William L. Prall, Clerk of Assem- bly,	238	
	William Mount, Door-keeper of Council,	136	

Charles Parker, Treasurer.

1826.		Dolla. Cts
Amount brought forward,		32,440 55
Dec. 29.	To received of Collector of Warren, tax for 1826,	1032 81
	Tax due from the Commercial Bank of New Jersey,	119
30.	Of Collector of Burlington, balance tax for 1826,	2094 53
1827.		
Jan. 1.	On account, Cape May tax for 1826,	11 63
2.	Of Collector of Cape May, balance of taxes for 1826,	311 38
5.	Collector of Gloucester, tax for 1826,	1689 61
		<hr/> 5278 96
Amount carried forward,		37,719 51

	CONTRA.	CR.
		Dolls. Cts.
1826.		
Dec. 28. By paid William Gould, Door-keeper of Assembly,	136	
William L. Prall, for engrossing 1409 sheets,	112 72	
Charles Parker, Librarian,	128	
Do. per incidental bill,	115 85	
	<hr/>	1276 57
Joshua S. Earl, do.	100 75	
William Kerwood, do.	70 06	
Francis S. Wiggins, do.	200 09	
James Vanderpool, do.	48	
Daniel Fenton, do.	73 40	
Joseph Justice, jr. do.	150 56	
William Gould, do.	30 84	
29. Inquisitions from Warren,	49 91	
	<hr/>	723 61
Daniel Coleman, for one quarter's salary, as Auditor, and for issuing commissions,	24 50	
1827.		
Jan. 1. John Wilson and Charles Parker, per incidental bill,	663 86	
Martin C. How, per incidental bill,	7 75	
William L. Prall, do.	526	
Inquisition from Cape May,	11 63	
2. Daniel Coleman, for his services as Secretary of Council,	231	
Francis S. Labaw, one quarter's salary as keeper of State Prison,	200	
	<hr/>	1664 74
John T. French, Clerk, one quarter's salary,	125	
William Vanhart, Assistant Keeper, one quarter's salary,	112 50	
Thomas Neal, do. do.	100	
John Cunningham, do. do.	100	
Joseph Dye, do. do.	100	
John Howell, Physician, do.	18 75	
Sheriff of Sussex, for bringing to State Prison, a prisoner,	29 80	
	<hr/>	586 05
Do. amount of a taxed bill of costs,	25 49	
5. 23 inquisitions from Gloucester,	319 04	
Alexander Wetherup, per allowance in incidental bill,	4 27	

Dr.

Charles Parker, Treasurer.

1827.

Dolls. Cts.

	Amount brought forward,		37,719 51
Jan. 5.	To received the amount of tax due from Newark Bank, 1st instant,	1500	
	Tax from State Bank at Newark,	1200	
	do. Elizabeth,	499 88	
	Farmers' Bank, Mount Holly,	500	
	Trenton Banking Company,	1073 70	
6.	Cumberland Bank,	260 12	
	Interest on public stocks,	1424 99	
		<hr/>	6458 69
11.	Tax from State Bank at New Brun- swick,	440	
17.	Tax from Morris county,	1568 03	
22.	Cumberland,	793 10	
25.	Monmouth,	1861 85	
	Somerset,	1321 43	
28.	Bergen,	1299 83	
	Paterson Bank.	800	
		<hr/>	8084 24
	Amount carried forward.		<hr/> 52,262 44

CONTRA.

CR.

1827.

Dolla. Cts

Jan.	5.	By paid Asa Belden, per allowance in incidental bill,	2	50	
	10.	Asa Whitehead, do.	54		
	15.	John Davisson, do.	2	88	
	16.	Daniel Coleman, for issuing commissions,	79	28	
	17.	3 inquisitions from Morris county,	45	20	
					532 66
		Isaac H. Williamson, allowance in incidental bill,	26	82	
		Garrett D. Wall, do.	15		
		George Sherman, do.	53	15	
	25.	2 inquisitions from Monmouth,	28	29	
		John Bellerjeau, Sergeant at Arms,	10		
		3 inquisitions from Somerset,	45	86	
	26.	Daniel Coleman, esq. for engrossing, &c.	123	20	
		Brigade Inspector of Bergen,	30		
					332 32
	27.	Jonathan Brown, per incidental bill,	2		
	30.	Daniel Coleman, esq. for one quarter's salary and issuing commissions, &c.	15	60	
		John Worthington, for box to contain laws,	9	79	
Feb.	6.	Sheriff of Monmouth, for transporting to State Prison, 3 prisoners,	17	39	
		Do. for 3 taxed bills of costs,	87	70	
	10.	Thomas Cain, per allowance in incidental bill,	7	94	
					140 42
		Peter Kean, Loo Baker, and Francis Stanton, the amount of interest received on the stock purchased with \$90,000 of the Delaware and Raritan Canal bonus,	6065	56	
	13.	James Parker, per allowance in incidental bill,	21	50	
		Francis S. Wiggins, for printing the 3d part of the 3d vol. of Halsted's Reports,	256		
		Inquisition from Warren,	15	64	
		Daniel Coleman, for issuing commissions, &c.	3		
					6361 70
	17.	Charles Parker for distributing the Law Reports.	80		

Dr.

Charles Parker, Treasurer.

1827.

Dolls. Cts.

Amount brought forward,		52,262 44
Mar. 2.	To received tax from Essex county,	1911 04
	New Brunswick Bank,	450
	State Bank at Camden,	1500
7.	People's Bank at Paterson,	375
	Salem Banking Company,	150
	State Bank at Morris,	340
14.	Sussex Bank, due 1st instant.	137 50
	Washington Bank,	280 15
	Sussex county,	1052 81
		<hr/>
		6196 50
Amount carried forward.		<hr/>
		58,458 94

CONTRA.

CR.

1827.

Dolls. Cts.

Feb. 21.	By paid Daniel Coleman, for issuing commissions,	23	21	
	Daniel Coleman, per warrant,	53	70	
22.	Sheriff of Burlington, for transporting 3 prisoners to State Prison,	10	40	
	Do. of do. 3 taxed bills of cost,	64	22	
Mar. 1.	Inquisition from Monmouth,	11	97	
	Do. Essex,	17	37	
2.	Advanced for school fund to purchase stock,	7017	77	
				7278 64
3.	Philip J. Gray, for printing the Journal of Council,	238		
	Ralph Green, per allowance in incidental bill,		50	
6.	Inquisition from Essex,	17	23	
	Benjamin Thompson, per allowance in incidental bill,	11	50	
7.	William L. Prall, for a copy of votes furnished the printers, per order,	195		
11.	N. Bashford, for binding laws,	35		
	Joseph Justice, for printing laws,	224		
	Daniel Coleman, per order,	70	20	
				791 43
	Do. for issuing commissions,	4	83	
	14 inquisitions from Burlington,	153	77	
20.	Daniel Coleman, for issuing commissions, &c.	2	34	
21.	William L. Prall, for printing votes and proceedings,	434		
22.	Inquisition from Hunterdon,	14	55	
24.	Do. Essex,	17	95	
28.	Sheriff of Salem, for transporting prisoner to State Prison,	27	15	
				654 50
	Sheriff of Salem, for taxed bill of cost,	27	19	
30.	Charles Parker, for distributing the laws and proceedings of 51st Legislature,	80		
April 1.	John Milledge, Sergeant at Arms,	8		
6.	William Rossell, esq. per order,	141	20	
	Daniel Coleman, issuing comm.	7	19	
7.	Sarah Wood, for 6 months' pension,	20		
	John Bellerjeau, Sergeant at Arms,	7		
				290 58
10.	F. S. Labaw, keeper of State Prison, one quarter's salary.	200		

DR. *Charles Parker, Treasurer.*

1827.

Dolla. Cts.

To amount brought forward,	58,458 94
May 18. To received from Attorney General, for forfeited recognizance against David Lewis,	106

Amount carried forward,	58,564 94
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CONTRA.

CR.

Dolls. Cts.

1827.

April 10.	By paid J. T. French, Clerk,	125	
	Wm. Vanhart, Assistant Keeper,	100	
	Joseph Dye, do.	100	
	Thomas Neal, do.	100	
	John Cunningham, do.	100	
	John Howell, Physician,	18 75	
12.	For tuition of deaf and dumb, in Pennsylvania Inst. to 1st instant,	544 88	
			1288 63
16.	Daniel Coleman, per order,	20 42	
24.	Marshal of Trenton, for transport- ing a prisoner to State Prison,	80	
	Do. for a taxed bill of costs,	24 05	
26.	6 inquisitions from Monmouth,	86 55	
27.	Sheriff of Essex, for transporting 3 prisoners to State Prison,	30 27	
	Do. 3 bills of cost,	65 28	
28.	Inquisition from Cape May,	13 70	
	Lydia Westbrook, for 6 months' pension,	120	
			361 07
	Daniel Coleman, a quarter's salary, as Auditor, and for issuing com- missions, &c.	30 99	
May 1.	Do. for issuing commissions, &c.	4 84	
2.	Charles Ewing, esq. Chief Justice,	810	
5.	Unice Platt, for 6 months' pension,	20	
8.	2 inquisitions from Essex,	32 86	
	Sheriff of Monmouth, for transport- ing 2 prisoners to State Prison,	17 14	
	Do. 2 bills of cost.	31 47	
			947 30
10.	Lydia Wood, for 6 months' pension, 6 months' instruction, for 2 deaf and dumb persons, in New York,	20 150	
11.	4 inquisitions from Morris,	83 15	
15.	1 do. Essex,	9	
16.	Lydia Whitlock, for 1 year's pension,	160	
	Charles Parker, Treasurer, for 6 months' salary,	550	
	George K. Drake, for salary and hold- ing circuits,	456 66	
			1428 81
	Isaac H. Williamson, Governor, 6 months' salary,	1000	
	William Halsted, Law Reporter, 6 months' salary,	100	

Dr.

Charles Parker, Treasurer.

1827.

Dolls. Cts.

Amount brought forward,

58,564 94

Amount carried forward,

58,564 94

	CONTRA.	CR.
1827.		Dolls. Cts.
May 16. By paid Atty. Gen. 6 months' salary,	40	
Q. M. General, 12 do.	100	
Adjutant General, 6 do.	50	
17. G. H. Ford, Justice, his semi-annual salary, and for holding 5 circuits, Inquisition from Hunterdon,	700 15 04	
18. George Maxwell, member of Court of Appeals,	19	
	<hr/>	2024 04
Silas Condit, do.	27	
John M. White, do.	25	
Israel R. Clawson, do.	33	
Silas Cook, V. P. do.	38 50	
Thomas C. Ryerson, do.	33	
Andrew Howell, do.	22 50	
Charles Board, do.	39	
Jeremy Mackey, do.	27 60	
	<hr/>	245 60
Joshua Swain, do.	48	
Charles Parker, Librarian,	8	
19. Robert M'Chesney, member of Court of Appeals,	16 50	
Henry D. Polhemus, do.	21	
Caleb Newbold, do.	16 50	
William Mount, Sergeant at Arms,	10	
Daniel Coleman, Secretary of Court of Appeals,	14	
	<hr/>	134
Daniel Coleman, for issuing commissions, &c.	9 82	
22. Do. do. do.	6 57	
June 4. Do. do. do.	16 99	
5. Sheriff of Cape May, for transporting prisoner to State Prison,	48 05	
Do. for a taxed bill of costs,	12 13	
11. Daniel Coleman, for issuing commissions, &c.	3 25	
12. Sheriff of Sussex, for transporting a prisoner to State Prison,	33	
	<hr/>	129 91
Do. for a taxed bill of costs,	174 97	
13. Brigade Inspector of Hunterdon, his salary,	30	
22. Inquisition from Essex,	17 06	
Daniel Coleman, for issuing commissions, &c.	3 78	

Dr.

Charles Parker, Treasurer.

1827.

Dolls. Cts.

Amount brought forward,

58,564 94

June 6. To received of Samuel Pennington,
esq. Agent of Lands, at Paterson,

87 82

Amount carried forward.

58,652 76

		CONTRA	CR.
1827.			Dolls. Cts.
June 23.	By paid Sheriff of Middlesex, transporting 2 prisoners to State Prison,	16 10	
	Do. for 2 bills of cost,	151 07	
26.	Sheriff of Gloucester, for transporting 2 prisoners to State Prison,	23 36	
	Do. for 2 taxed bills of cost,	41 78	
		<hr/>	458 06
27.	Daniel Coleman, one quarter's salary, and issuing commissions,	14 24	
July 3.	N. Bashford, for binding 62 vols. books,	25 45	
7.	Daniel Coleman, for issuing commissions, &c.	2 11	
10.	F. S. Labaw, Keeper of State Prison, one quarter's salary,	200	
	J. T. French, Clerk,	125	
	Joseph Dye, Assistant Keeper,	100	
	John Cunningham, do.	100	
	Thomas Neal, do.	100	
		<hr/>	666 80
	William Vanhart, do.	100	
	John Howell, Physician,	18 75	
	2 inquisitions from Essex,	24 49	
13. 1	do. Morris,	17 71	
1	do. Essex,	17 06	
14.	Brigade Inspector of Morris,	30	
	Do. Warren,	30	
		<hr/>	238 01
18.	Daniel Coleman, per order,	9 70	
19.	John Bellerjeau, Sergeant at Arms,	12	
24.	Inquisition from Monmouth,	12 12	
Aug. 4.	Daniel Coleman, for issuing commissions, &c.	3 34	
10.	Do. do.	4 58	
20.	Brigade Inspector of Somerset,	30	
23.	Sheriff of Somerset, for transporting prisoner to State Prison,	9	
		<hr/>	80 74
17.	Sheriff of Hunterdon, bill of cost,	23 58	
23.	Brigade Inspector of Burlington, for 1826,	30	
27.	Daniel Coleman, for issuing commissions, &c.	3 35	
Sept. 4.	2 inquisitions from Essex,	21 70	
5.	F. S. Wiggins, for distributing laws, &c.	15	

Dr.

Charles Parker, Treasurer.

1827.

Dolls. Cts.

58,652 76

Amount brought forward,
 July 6. To received for 6 months' interest
 on United States' stock, to first
 instant,

304 68

Amount carried forward.

 58,957 44

		CONTRA.	CR.
			Dolls. Cts.
1827.			
Sept.	7. By paid 2 inquisitions from Morris,	30 73	
	8. Brigade Inspector of Salem,	30	
	11. Inquisition from Hunterdon,	13 70	
		<hr/>	168 06
	20. Daniel Coleman, for issuing commissions, &c.	2 11	
	Sheriff of Burlington, for transporting prisoner to State Prison,	8	
	Do. taxed bill of costs,	65 05	
	26. Elizabeth Kinsley, 10 months' pension,	33 33	
	Daniel Coleman, one quarter's salary as Auditor,	12 50	
	27. Sheriff of Essex, for transporting 3 prisoners to State Prison,	31 29	
	Do. 3 taxed bills of cost,	120 13	
	28. Brigade Inspector of Monmouth,	30	
		<hr/>	302 41
Oct.	5. Sarah Wood, 6 months' pension, One tenth of state tax for 1826, transferred to school fund,	20	2000
	9. Daniel Fenton, for books for State Library,	181 07	
	F. S. Labaw, Keeper of State Prison, one quarter's salary,	200	
	J. T. French, Clerk, quarter's salary,	125	
	Thomas Neal, Asst. Keeper, do.	100	
	Joseph Dye, do.	100	
		<hr/>	2726 07
	John Cunningham, do.	100	
	William Vanhart, do.	100	
	John Howell, Physician, do.	18 75	
	12. Zac. Rossell, Adjutant General, his semi-annual salary,	50	
	William Halsted, jr. Law Reporter, his semi-annual salary,	100	
	Theodore Frelinghuysen, Attorney General, his semi-annual salary,	40	
	Charles Parker, Treasurer, do.	550	
		<hr/>	958 75
	13. I. H. Williamson, Governor, his quarter-annual salary,	500	
	Geo. K. Drake, Associate Justice, his semi-annual salary, and for holding 3 circuits,	640	
	Sheriff of Gloucester for transporting 2 prisoners to State Prison.	22 86	

Dr. *Charles Parker, Treasurer.*

1827.

Dolls. Cts.

	To amount brought forward,	58,957 44
Sept. 20.	To received tax due on the 1st January last, from Manufacturing Bank,	750
Oct. 5.	Interest on stock due 1st instant,	152 34
8.	From proceeds of school fund, for monies advanced to purchase stock,	9896 17
		<hr/> 10,798 51
		<hr/> 69,755 95
1827.		
Oct. 23.	To balance in the Treasury per settlement with the Treasurer, this day	21,482 22

WE, the Committee of Council and Assembly, appointed to settle the Treasurer's accounts, have examined the annexed, and compared it with the vouchers, and find the same correctly stated.

October 30, 1827.

HENRY D. POLHEMUS,
SAMUEL PENNINGTON,
Committee of Council.
THOMAS CAPNER,
EPHRAIM MARSH,
JAMES PARKER,
W. N. JEFFERS,
JOSEPH PORTER,
Committee of the Assembly.

CONTRA.		CR.	
		Dolls. Cts.	
1827.			
Oct. 13.	By paid Sheriff of Gloucester, for 2 bills of cost,	54	85
	John Bellerjeau, Sergeant at Arms,	7	
13.	Daniel Coleman, for issuing commissions, &c.	1	36
20.	Inquisition from Monmouth,	17	29
		<hr/>	
			1243 36
	By balance in the hands of the Treasurer,	21,482	22
		<hr/>	
			69,755 95
		<hr/>	

Errors excepted,

CHARLES PARKER, *Treasurer.*

Dr. *General Charges to sundry Accounts.*

1826.

Dolls. Cts.

Oct. 24. GENERAL CHARGES—Balance in the Treasury, per settlement this day,	27,146 58
UNCOLLECTED DEBTS—Received for oyster rents, \$ 32—forfeited recognizance, \$ 106—for a balance of a debt due from David Mills, former Sheriff, \$ 130—from S. Pennington, for use of lands at Paterson, \$ 87 82—due from Presbytereian Congregation, at Paterson, \$ 150,	505 82
TAXES—Received for state tax from the several counties, \$ 20,000 02—received for bank tax, \$ 10,475 35—due from Jersey Bank, for tax of 1826, \$ 1000,	31,475 37
SIX PER CENT STOCK—Amount of this stock on hand, Oct. 24, 1826,	80,000
FOUR AND A HALF PER CENT STOCK—Amount of this stock on hand,	20,000
BILLS RECEIVABLE—Amount of this account,	1,000
INTEREST ACCOUNT—Received for interest on stocks,	1882 01
SCHOOL FUND ACCOUNT—Received on this account, \$ 9,896 17	
Due from this fund for balance of Advancement,	374 59
	<hr/> 10,270 76
	<hr/> 172,280 54

CONTRA.

CR.

1826.

Dolls. Cts.

Oct. 24. STATE PRISON ACCOUNT—For disbursements made,	2,987	50
SCHOOL FUND ACCOUNT—Amount advanced for purchase of Stock,	\$7,017	77
Due from this account,	374	59
	7,392	36
PRINTING ACCOUNT—Amount of account,	1,486	79
DEAF AND DUMB ACCOUNT—paid for this account,	544	88
STATE LIBRARY—Paid for this account,	228	20
TRANSPORTATION AND CRIMINAL PROSECUTION—Paid for this account,	1,790	34
STATE AND INCIDENTAL ACCOUNT—Paid for the following purposes, to a committee of the Delaware and Raritan Canal Company, for interest \$6,065 56; about \$8,000 for the salaries of judicial and state officers; about \$13,000 for expenses of the legislature in 1826; and for allowance in incidental bill, &c. &c. &c. \$2,093 93,	29,159	49
MILITIA AND PENSION ACCOUNT—Paid for this account,	1,097	64
INQUISITIONS—Paid for this account,	1,661	62
APPROPRIATION TO SCHOOL FUND—One-tenth state tax of 1826,	2,000	
	48,648	32
PRESBYTERIAN CONGREGATION OF PATERSON—Amount of a debt due,	150	
JERSEY BANK—For tax of 1826 unpaid,	1,000	
	1,150	
LOAN OFFICE—For stock transferred to Canal Committee by authority of law.	\$87,543	22
Amount of stock still on hand per certificates,	\$12,656	78
	100,000	
Amount brought forward,	\$149,798	32

Dr. *General Charges to sundry Accounts.*

1826

Amount brought forward,

Dolls. Cts.

172,280 54

The amount of disbursements on the credit side of the preceding summary, stands at \$48,648 32. These are not all actual expences out of the Treasury : the *second* item is monies advanced for the use of the school fund, and the *third* item is still due from that fund. In the *eighth* item is included \$6,065 56, paid to the Committee of the Delaware and Raritan Canal Company, for interest on \$90,000, a part of the Canal bonus directed to be paid to them ; and the *last* item of \$2000, is for one tenth of the State tax, ordered to be transferred to the school fund. These four items amount to \$15,457 92, from which it appears, that the actual expenditures are \$33,190 40. It will also be perceived, that of \$100,000 of United States' stock on hand, in the settlement of 1826, \$87,343 22, was transferred to a Committee of the Delaware and Raritan Canal Company, in lieu of the \$90,000, directed to be paid to them by law, with \$450:

Dr. *Charles Parker, Treasurer, in Account Current with*

1827.

Dolls. Cts.

Jan. 1.	To received the tax due this day on the capital stock of the Monmouth Bank,	200
Feb. 16.	To received 3 months' interest on 4 1-2 per ct. stock,	1,229 08
	3 months' interest on 6 per cent. stock of 1814,	84 99
	3 months' interest on 6 per cent stock of 1815,	318 56
	Dividend on Trenton Bank stock, for last 6 months, ending 30th March last,	1,599 60
March 2.	From State funds, to purchase stock in anticipation. &c.	7,017 77

CONTRA.

CR.

1826.

Dolls. Cts.

Amount brought forward,		149,798 32
Thomas Gordon, esq. due from him		
on bill,	1,000	
STATE PROPERTY—Expended in re-		
pairs for which an allowance will		
be paid for in incidental bill,	270 28	
BANKS—Amount of deposits,	21,211 94	
		22,482 22
		<hr/>
		\$ 172,280 54

Of interest received prior to 26th Oct. 1825, and re-invested, leaving still on hand a balance of \$12,656 78, the property of the state. There is due from the Jersey Bank for the tax of last year \$1,000, for which the Treasurer has taken out legal process, directed to the Sheriff of Bergen county, and it is understood the property of the Company has been sold to the amount of the claim, and is now in the hands of the Sheriff. There is a debt due from Thomas Gordon, esq. of \$1,000, and from the First Presbyterian Congregation at Paterson of \$150. These are the only explanations the Treasurer deems necessary, which is respectfully submitted by

CHARLES PARKER, *Treasurer.*

The New Jersey School Fund.

CONTRA.

CR.

1827.

Dolls. Cts.

March 2.	By paid for \$ 1000 of 6 per cent.		
	stock of 1814, at 102 3-8 per		
	cent.	1,023 75	
	700 do. a 102 1-2 per cent.	717 50	
	4,500 do. a 6,200. 102 5-8 do.	4,618 13	
			6,359 38
April 14.	3,823 71 do. a 101 3-4 per do.		3,890 62
Oct. 8.	The State on account of a debt due		
	from monies taken to purchase		
	stock,	9,896 17	
			<hr/>
	Amount carried forward,	20,146 17	

Dr.		<i>Charles Parker, Treasurer, in Account current with</i>	
1827.		Dolls. Cts.	
April 30.	To received 3 months' interest due		
	1st inst. on 4 1-2 per cent stock,	1,229 08	
		<hr/>	11,679 08
	Do. on 6 per cent stock of 1814,	177 99	
	Do do. 1815,	318 56	
July 21.	Dividend on Trenton Bank stock,		
	for last 6 months, to 1st instant,	1,599 60	
	3 months' interest due 1st instant,		
	on 4 1-2 per cent. stock,	1,229 08	
	Do. on 6 per cent. stock of 1815,	318 56	
	Do. do. 1814,	235 33	
Oct. 5.	From the State funds, one-tenth of		
	State tax, for 1826,	2,000	
		<hr/>	5,879 12
	3 months' interest on 4 1-2 per cent.		
	stock, due 1st inst.	1,229 08	
	3 months' interest on 6 per cent.		
	stock of 1815,	318 56	
	Do. on 6 per cent. stock of 1814,	235 33	
	Dividends, for last year, on Cumber-		
	land Bank stock, up to 1st July last,	120	
	Dividend, for last year, on Sussex		
	Bank stock, to 1st August last,	60	
6.	Dividend on Newark Turnpike stock,		
	up to 1st instant,	625	
		<hr/>	2,587 97
			<hr/>
			20,146 17

WE, the subscribers, a Committee of the Council and Assembly, appointed to settle the accounts of the Treasurer, have examined the annexed account, and compared it with the vouchers, and find the same correctly stated.

HENRY D. POLHEMUS,
SAMUEL PENNINGTON,
Committee of Council.

THOMAS CAPNER,
JAMES PARKER,
JOSEPH PORTER,
EPHRAIM MARSH,
W. N. JEFFERS,
Committee of the Assembly.

The New Jersey School Fund.

CONTRA.

CR.

1827.

Dolls. Cts.

Amount brought forward,

20,146 17

.1 Summary Recapitulation of the School Fund, October 23d, 1827.

Am't of receipts to this fund since Oct'r 24th, 1826, which has been applied to the payment of the debt due from the same.	This will show the debt due from this fund on the 31st Oct'r 1826, as well as debts since contracted with the am't of payments made towards the same.	Total amount of stocks purchased since the 24th of Oct'r 1826, with the amount of the same kind then on hand. 1826, with that since purchased.
<p><i>Summary Recapitulation of the School Fund, October 23d, 1827.</i></p>		
<p>Debt this day due the state, October 24th, 1826, Taken from the State Funds this day, March 2d, 1827, Amount of 4 1-2 per cent stock on hand, Oct. 24th, 1827, Received one years' interest on the whole amount, Amount of six per cent stock of 1815, on hand, October 24th, 1826, Received one years' interest on the last sum, Amount of six per cent stock of 1814, on hand 24th October, 1826, Do. purchased 2d March, 1827, Do. purchased 14th April, 1827,</p>	<p>3,252 99 7,017 77</p>	<p>109,252 72</p>
	<p>4,916 32</p>	<p>21,237 82</p>
	<p>1,274 24</p>	<p>5,666 19 4,200 3,823 71</p>
	<p>733 64</p>	<p>15,689 90</p>
	<p>3,199 20</p>	<p>39,990 00</p>
	<p>625 00</p>	<p>12,500 60</p>

20 shares of Sussex Bank stock on hand October 24th,
 1826, at par,
 Received for two dividends up to 1st of August, 1827,
 10 shares of Cumberland Bank stock on hand, October
 24th, 1826, at par,
 Received two dividends up to 1st July, 1827,
 Received for one-tenth of state tax, for 1826,
 Received from state funds 2d March, 1827,
 Received for tax on the capital stock of Monmouth Bank,
 Paid for stock purchased 2d March, 1827,
 Paid for stock purchased 14th April, 1827.

60		1,000
120		2,000
2,000		
7,017 77		
200		
	6,359 38	
	3,890 62	
	<u>20,520 76</u>	
<u>\$20,146 17</u>		
	Amt. Stocks,	<u>\$201,670 41</u>
	371 59	<u>374 59</u>
		<u>\$201,295 85</u>

Subtracted debt due the state,

Nett amount of fund,

Errors excepted.

CHARLES PARKER, *Treasurer.*

Mr. Capner also reported the following certificate :

WE, the subscribers, a Committee of Council and Assembly, appointed to settle the accounts of the Treasurer of the State, do hereby certify, that we have examined the said accounts, and find them regularly and correctly settled and balanced, and have ascertained that the evidences of the public stock, securities, and other effects, are actually in the Treasury. The balance in the hands of the Treasurer, they find to be the sum of twenty-one thousand, four hundred and eighty-two dollars, twenty-two cents, standing to his credit as Treasurer of the State, in various banks, and otherwise accounted for, as follows, viz.

In the State Bank at Morris,	\$45 18
Newark Banking and Insurance Company,	1,101 67
State Bank at Newark,	1,860 12
State Bank at Elizabeth,	79 52
Cumberland Bank,	385 07
Salem Banking Company,	120
Sussex Bank,	243 33
Trenton Banking Company,	17,877 05
Advanced for repairs of the Government House and Chancery Office,	270 28
	<hr/>
	\$ 21,482 22

October 30, 1827.

HENRY D. POLHIEMUS,
SAMUEL PENNINGTON,
Committee of Council.
THOMAS CAPNER,
JAMES PARKER,
EPHRAIM MARSH,
W. N. JEFFERS,
JOSEPH PORTER,
Committee of Assembly.

Which report, certificate and accounts, were ordered to lie on the table.

Mr. Seeley, from the Committee to whom was referred the petition of Michael Swing, executor of Elizabeth Blew, deceased, late of Fairfield township, in the county of Cumberland, praying for a law to authorize him to make and execute deeds of conveyance to the purchasers of the real estate of said Elizabeth Blew, deceased—

Reported, That, having examined the petition of said Michael Swing, and also an exemplified copy of the Will of said Elizabeth Blew, deceased, they are of opinion that the said Executor is fully authorized, by the said Will, to make sale of the real estate of said Elizabeth Blew, deceased, and to execute deeds of conveyance to the purchasers thereof, and that no legislative aid is necessary in the premises.

Which report was read and agreed to.

Mr. Christie, from the Committee to whom was referred the pe-

nition of inhabitants of Bergen county, in favor of a law to authorize the erection of a dam across the Passaic river, and the remonstrance against the same,

Reported a bill, entitled An act to enable Cornelius S. Van Wagoner, Andrew P. Hopper, and their Associates, or the survivor, his or their heirs or assigns, to erect a dam across the Passaic.

Which bill was read, and ordered a second reading.

Mr. Seeley, in pursuance of leave given at the last session, presented a bill, entitled An act to exempt the meadow owned by Ichabod Lore, lying within the bounds of the Friendship Meadow Company, in the county of Cumberland, from certain taxes and assessments.

Which bill was read, and ordered a second reading.

Mr. Lloyd, with leave, presented a bill, entitled A supplement to an act entitled a further supplement to the acts concerning oysters, passed December 26, 1826.

Which bill was read, and ordered a second reading.

Mr. Seeley, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to regulate the pasturing a tract of salt marsh, in the township of Fairfield, in the county of Cumberland.

Which bill was read, and ordered a second reading.

Mr. Toy, from the committee to whom was referred the bill entitled, An act directing the time and mode of electing Representatives in Congress, and Electors of President and Vice President of the United States, on the part of this State, in districts,

Reported the same without amendment.

Which report was read, and, together with the bill, ordered to lie on the table.

The bill from Council, entitled A further supplement to the act entitled, An act to empower the Governor of this State to incorporate a Company to improve the north branch of Rancocus creek, passed March 16th, 1795,

Was read a second time, and postponed.

The bill, entitled An act to repeal an act therein mentioned,

Was read a second time, the title so amended as to read, An act to repeal an act, entitled An act to enable the owners and possessors of meadows therein mentioned, to repair, keep up, and maintain the banks, dams, and water works enclosing the same, and for other purposes, passed February 19, 1796, and thus amended,

Was considered by section, and ordered to be engrossed.

The bill, entitled An act relative to Jurors,

Was read a second time, gone through with by section, and ordered to be engrossed.

The preamble and resolutions submitted yesterday by Mr. Carson, for the appointment of a joint committee, to enquire into the expediency of applying the school fund of the State, to the establishment of free schools, as originally intended.

Was called up, agreed to, and Messrs. Carson, Toy, and Marsh, accordingly appointed.

Ordered, That the Clerk inform Council of the appointment of the above named committee, and request the Council, on their part, to appoint a correspondent committee.

Mr. Wall submitted the following report from the Quarter Master General of the State :

*To the Honourable the Legislative Council, and
General Assembly of the State of New Jersey :*

Garret D. Wall, Quarter Master General of the State of New Jersey, respectfully

Reports, That on the 7th September last, he received from his Excellency the Governor, a letter addressed to him, dated Ordnance Department, Washington, August 3, 1827, as follows :

SIR—The arms procured under the law for arming the militia, during the last four years, are now ready for distribution. I have the honour to transmit herewith a copy of the regulations under which these are apportioned and distributed, and which contains a statement of the number apportioned, and now due to the State of New Jersey ; and I have to request that you will make known to this department, the number and description of arms which may be required by the State, and the place at which you may desire them to be delivered, in order that this may be transmitted.

I have the honor to be, sir,

Your obedient servant,

GEORGE BOMFORD,

Br. Col. on Ordnance Service.

By the regulations accompanying the letter, it appears that the number of muskets apportioned to this State, is 2,327, including three, a balance due on the 31st December, 1822 ; that the relative value of the arms procured during the years 1823, 1824, 1825, and 1826, is as follows :

Muskets, each,	\$ 13
Rifles,	16
Pistols,	8
Cavalry Sashes,	6
Artillery Swords,	4
Non-Commissioned Officers' do.	4
Accoutrements for Muskets,	2 50
Do. Rifles,	2 00
Cavalry, Sabre and Sword Belts.	60
Six Pounder Cannon, with canvass and equipments, complete, exclusive of harness,	400

The whole of the quota assigned to any State, will be furnished in muskets, if desired, or any other description of arms or accoutrements of equal value, (except field artillery) which the proper authorities of the State may require. Field Artillery will be furnish-

ed whenever practicable, but not without special application and instructions therefor. When other arms than muskets are furnished, they will be given in such numbers as will be equal in value to the assigned quota of muskets, estimated according to the average contract price of each respectively. The arms will be delivered at any place, within the State, situated upon navigable waters. By the advice of the Governor, I have forbore to designate the kind of arms to be furnished, in order to submit the matter to the Legislature. Among the reasons which produced this determination, the difficulty of providing a place for their safe keeping, was an operative one. There are now 350 rifles in the Arsenal, which have not been distributed because of the smallness of the number. The Quarter Master General respectfully requests, that the Legislature will be pleased to make such directions in relation to those arms, as they, in their wisdom, shall see fit.

In respect to the other arms belonging to the State, the Quarter Master General begs leave to refer to the report of the last year. — No material alteration has occurred in relation to them, except that several counties have received the quotas allotted to them by that distribution.

GARRET D. WALL.

Trenton, October 31, 1827.

Which report was read, and ordered to lie on the table.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Vroom presented the petition of Peter I. Stryker, of Somerset county, praying the incorporation of himself and associates, as a Company for the purpose of exploring the earth for mineral and metallic wealth.

Which petition was read, and committed to Messrs. Vroom, Mills, and Clifford.

Mr. Halsted presented a petition from a number of the inhabitants of this state, residing in the counties of Essex, Morris, Sussex and Warren, praying for the incorporation of a Company for the purpose of making a Rail Road, to extend from Phillipsburg, opposite Easton, on the river Delaware, to Elizabethtown Point.

Which petition was read, and ordered to lie on the table.

Mr. Parker presented the petition of a number of the inhabitants of this state, praying the Legislature to devise and to apply some efficient remedy against the prevailing evil of intemperance.

Which petition was read, and committed to Messrs. Parker, Toy, and Townsend.

The Speaker laid before the House, the following communication from his Excellency the Governor :

EXECUTIVE DEPARTMENT, October 31st, 1827.

Gentlemen of the Legislative Council

And of the House of Assembly :

Since the last session of the Legislature I have received the accompanying communications on important subjects, from the Governors of the respective states of Georgia, Ohio, Maine, Connecticut, and Alabama, which I lay before you for consideration.

ISAAC H. WILLIAMSON.

Which communication was read, and with the documents, ordered to lie on the table.

On motion of Mr. Carson, the report of the Quartermaster General of this state,

Was called up, and committed to Messrs. Carson, Farlee, and Jeffers.

Mr. Wall, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act for the relief of Rebecca Spencer

Which bill was read and, ordered a second reading.

Mr. Day presented the abstract of rateables of Essex county.

Which was ordered to lie on the table.

The House adjourned to 10 o'clock to-morrow morning.



THURSDAY, November 1.

Ten o'clock—the House met.

Mr. Halsted presented a petition from a number of the inhabitants of the counties of Essex, Morris, Sussex and Warren, praying for a law to authorize the making of a rail road from Phillipsburg opposite to Easton, on the river Delaware, to Elizabethtown P. int.

Which petition, with that presented yesterday on the same subject, were committed to Messrs. Halsted, Kirkpatrick, and Jeffers.

Mr. Kirkpatrick presented a petition from a number of inhabitants of Bergen county, praying for the extension of the Morris Canal from the Passaic to the Hudson river.

Which petition was read, and referred to the committee on that subject.

Mr. Vroom presented the petition of the President, on behalf of the Board of Directors, of the New Jersey Turnpike Company, praying for a law to authorize them to receive toll on that part of said turnpike laid on the old road, by permitting the inhabitants along said

road, to travel thereon free of toll within their respective townships.

Which petition was read, and committed to Messrs Vroom, Snowhill, and Thompson.

Mr. Dodd presented a petition of George B. Rappleye, of Jersey City, agent of the Alliance Assurance Company of London, praying that the policies of insurance granted by the said Company for reasons set forth, may be exempted from the operations of the act of 1826, entitled an Act relative to Insurance Companies.

Which petition was read, and committed to Messrs. Dodd, Wall, and Van Riper.

Mr. Porter presented a petition from a number of inhabitants of Gloucester county, praying a law to authorize the insertion of a draw in the bridge over Great Mantua Creek, and also a remonstrance from the inhabitants against the same.

Which petition and remonstrance were read, and committed to Messrs. Porter, Sinnickson, and Chandler.

Mr. Kirkpatrick from the committee on that subject,

Reported a bill, entitled An act to authorize the Morris Canal and Banking Company to extend the Morris Canal to the waters of the Hudson.

Which bill was read, and ordered a second reading.

Mr. Jeffers, from the committee on that subject,

Reported a bill, entitled An act supplementary to the act, entitled An act relative to the Supreme and Circuit Courts.

Which bill was read, ordered a second reading, and to be printed.

Mr. Halsted, with leave presented a bill, entitled An act for the safety of passengers in steam boats and stages.

Which bill was read, and committed to Messrs. Wall, Halsted, and Jeffers.

The House resumed the consideration of the bill from Council, entitled a further supplement to the act entitled An act to empower the Governor of this state to incorporate a Company to improve the north branch of Rancocus Creek, passed March 16th, 1795.

Which was gone through by section, and ordered a third reading.

Mr. Toy renewed his motion for the dismissal of the bill, entitled An act directing the time and mode of electing Representatives in Congress and Electors of President and Vice President of the United States, on the part of this state, in districts.

Which motion was superseded by one from Mr. Parker, in the following words :

Resolved, That the said bill be referred to committee so to amend the same, as to provide that the election of Representatives in Congress be had by districts at the time of the General Election, and that the choice of electors of President and Vice-President be by General Ticket on such day as may be conformable to the act of Congress.

Which motion was agreed to, and the bill committed to Messrs. Parker, Dodd, and Woodhull.

The engrossed bill, entitled An act to repeal An act, to enable the owners and possessors of meadows therein mentioned, to repair, keep up and maintain the banks, dams and water works, enclosing the same, and for other purposes, passed the 19th of February 1796,

Was read a read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act relative to Jurors,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative. as follows :

YEAS.

Messrs. Armstrong,

Bee,

Capner,

Carson,

Chandler,

Christie,

Coles,

Day,

Dodd,

Earl,

Emley,

Foster,

Freas,

Halsted,

Hopping,

Jeffers,

Kirkpatrick,

Messrs. Mickle,

Mills,

Mott,

Munson,

Parker,

Porter,

Sinnickson,

Snowhill,

Stryker,

Terhune,

Toy,

Van Riper,

Vroom,

Wall,

West,

Woodhull—33.

NAYS.

Messrs. Clifford,

Ewing, (speaker.)

Farlee,

Lloyd,

Marsh,

Messrs. Robbins,

Seeley,

Thompson,

Townsend—9.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council; inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Christie presented the petition of Garabrant Van Riper and

others, for a law authorizing the erection of a mill dam over the river Passaic.

Which petition was read, and committed to Messrs. Christie, Coles, and Foster.

Mr. Thompson presented the petition of a number of the inhabitants of Morris county, complaining of the mal-conduct of William Dellicker, esq. a magistrate in and for said county, and praying for his dismissal from office.

Which petition was read, and committed to Messrs. Woodhull, Vroom, and Wall.

The resolution submitted by Mr. Parker, on the 30th ult. for the House to hold an adjourned sitting,

Was called up, and agreed to.

The communication of his Excellency the Governor, concerning certain documents from the executive and legislative authorities of the states of Georgia, Ohio, Maine, Connecticut, and Alabama, laid on the table yesterday, was called up, the documents classified, and committed as follows :

Nos. 1 & 2, from Georgia and Ohio, on the subject of amending the Federal Constitution,

Were committed to Messrs. Vroom, Marsh, and Jeffers.

Nos. 3 & 4, from Maine and Connecticut, on the subject of distributing the surplus revenue of the United States among the several states, for the purpose of internal improvement and education,

Were committed to Messrs. Halsted, Seeley, and Porter.

No. 5, from Alabama, on the subject of, and opposing the colonizing the free people of colour, and the gradual emancipation of slaves,

Was committed to Messrs. Woodhull, Dodd, and Kirkpatrick.

The House took up the report of the joint committee on the Account of the Treasurer of the State, and the certificate attesting the correctness of the same.

Which report was agreed to, the certificate approved, the Speaker ordered to sign the same, and the Clerk ordered to carry the report and the certificate to Council, and request their agreement and approval.

Mr. Dodd, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled A supplement to the act, entitled An act to incorporate the Mechanics' Insurance Company, in the county of Essex.

Which bill was read, and ordered a second reading.

Mr. Parker submitted the following resolution :

Resolved, That this House will, on Wednesday next, adjourn for the sitting, to meet on day of next.

Which resolution was read, and ordered to lie on the table.

Mr. Christie submitted the following resolution :

Resolved, That this House is ready to go into a joint meeting, for the appointment of a Treasurer, Inspectors of the State Prison, and such other civil and military officers as may be deemed neces-

sary, in the several counties of this State, and request Council to appoint the time and place of said meeting.

Which resolution was read, and ordered to lie on the table.

Mr. Capner offered the following resolution :

Resolved, That a committee be appointed to make such alterations in the library room, and the furniture thereof, as they may deem proper, to render the same more spacious and convenient.

Which resolution was read, agreed to, and Messrs. Capner, Parker, and Woodhull accordingly appointed.

The House adjourned to ten o'clock to-morrow morning.



FRIDAY, November 2, 1827.

Ten o'clock the House met.

Mr. Carson presented the petition of Maria Stafford, of West Windsor, Middlesex county, praying to be divorced from her husband, Joseph B. Stafford.

Which petition was read, and committed to Messrs. Carson, Munson, and Robbins.

Mr. Dodd presented the petition of Roswell L. Colt, Governor of the Society for establishing useful Manufactures in this State, complaining of the encroachments on the vested rights of the Society, by the Morris Canal and Banking Company, committed and contemplated, and praying Legislative protection and relief.

Which petition was read and ordered to lie on the table.

Mr. Wall, from the committee to whom was referred the bill entitled An act for the safety of passengers in steam boats and stages,

Reported the same with amendments.

Which amendments were agreed to, and the bill read and ordered a second reading.

Mr. Vroom, from the committee on the petition on that subject,

Reported a bill, entitled An act to incorporate the Somerville Mining Company.

Which bill was read, and ordered a second reading.

Mr. Dodd, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act supplementary to An act entitled An act relative to Insurance Companies, passed 26th December, 1826.

Which bill was read, and ordered a second reading.

Mr. Vroom, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled additional supplement to An act to in-

corporate the New Jersey Turnpike Company, passed 27th February, 1806.

Which bill was read, and ordered a second reading.

Mr. Earl submitted the following resolution :

Resolved, That a committee be appointed to receive proposals for printing the Laws, Law Reports, and Votes and Proceedings of the House of Assembly, during this or any future sitting of the Legislature.

Which resolution was read, agreed to, and Messrs. Earl, Secley, and Kirkpatrick, accordingly appointed.

Mr. Halsted submitted the following resolution :

Resolved, That the committee appointed to settle the accounts of the State Prison, be instructed to examine in the probable causes of the great expense of the Institution, and the best means to lessen the same, and also in the internal regulation and police of the prison, and how far the mode of punishment adopted, tends to the suppression of crime.

Which resolution was read, and agreed to.

Mr. Dodd submitted the following resolution :

Resolved, That a committee be appointed, to enquire into the expediency of making provision, by law, for the distribution of the money and funds in the hands of the Trustees of the New Jersey Protection and Lombard Bank.

Which resolution was read, agreed to, and Messrs. Dodd, Parker, and Vroom, accordingly appointed.

The resolution submitted yesterday, by Mr. Christie, for a joint meeting, for the appointment of a Treasurer and other officers,

Was called up, agreed to, and the Clerk ordered to inform Council thereof, and to request them to appoint the time and place.

The bill, entitled An act for the relief of Rebecca Spencer, was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled An act to authorize the Morris Canal and Banking Company, to extend the Morris Canal to the waters of the Hudson,

Was read a second time, gone through by section, and ordered to be engrossed.

The bill, entitled An act to extend the time of the charter of the State Bank of Morris,

Was read a second time, and postponed to the next sitting of the Legislature.

The resolution submitted by Mr. Parker yesterday, for the House to adjourn on Wednesday next, and to meet on the day of next,

Was called up, and made to read as follows :

Resolved, That this House will, on Wednesday next, adjourn for the sitting, to meet on Wednesday, the 16th of January next.

And thus modified it was agreed to.

The engrossed bill, entitled a supplement to An act entitled a further supplement to the acts concerning Oysters, passed December 26, 1826,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council—inform them that it has been passed by this House, and request their concurrence therein.

The bill from Council, entitled a further supplement to the act entitled An act to empower the Governor of this state, to incorporate a Company to improve the north branch of Rancocus Creek, passed March the 16th, 1795,

Was read a third time.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council that the House have passed said bill,

Without amendment.

The House adjourned to 3 o'clock in the afternoon.



Three o'clock—the House met.

Mr. Mott presented a petition from the Board of Chosen Freeholders of the county of Burlington, praying the repeal of the law, which requires a draw in the bridge over Crosswicks creek.

Which petition was read, and committed to Messrs. Mott, Woodhull, and Bee.

Mr. Earl presented a petition from a number of the owners and occupants of certain marsh and meadow, lying between the river Delaware and Crosswicks creek, in Burlington county, praying the repeal of the law which regulates the pasturing of the same,

Which petition was read, and committed to Messrs. Earl, West, and Freas.

Mr. Jeffers presented the petition of Henry L. Waddell, Charles Higbee and others, praying for a law to authorize the construction of a rail road from Trenton to New Brunswick.

Which petition was read, and ordered to lie on the table.

A message from Council, by Mr. Coleman, their secretary, informed the House, that the Council have appointed Messrs. Polhemus and Howell, a committee on their part, to take into consideration, the propriety and expediency of proceeding to apply the fund for the support of Free Schools, to purposes originally intended

The Council having examined the Report of the joint committee on the Treasurer's Accounts, and the certificate accompanying the same, do agree to, and approve thereof—and

The Council will be ready to go into a joint meeting for the appointment of a Treasurer, Inspectors of the State Prison, and such other officers, civil and military, as may be deemed necessary in the several counties of this state, on Monday next, at 3 o'clock. P. M. in the Assembly Room.

Mr. Carson, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to divorce Maria B. Stafford, from her husband Joseph B. Stafford.

Which bill was read, and ordered a second reading.

Mr. Earl, from the committee on that subject,

Reported a bill, entitled An act for the support of the Government of this State.

Which bill was read a first and second time, gone through by section, and ordered to be engrossed.

Mr. Christie, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to incorporate the Hudson Turnpike Company, in the county of Bergen.

Which bill was read, and ordered a second reading.

The bill, entitled An act to exempt the meadow owned by Ichabod Lore, lying within the bounds of the Friendship Meadow Company, in the county of Cumberland, from certain taxes and assessments therein named,

Was read a second time, gone through with by section, and ordered to be engrossed.

The House adjourned to ten o'clock to-morrow morning.



SATURDAY, November 6, 1827.

Ten o'clock the House met.

Mr. Mott, from the committee to whom was referred the petition of the board of chosen Freeholders, of the county of Burlington, praying an alteration in the law authorizing the erection of a bridge over the Croswicks Creek, on the road leading from the White Horse to Bordentown, so far as to close the draw therein,

Reported, That the applicants have leave to present a bill, agreeably to the prayer of the petitioners, on the fourth Tuesday of January next, they previously giving four weeks notice, by advertisements put up at the White Horse Tavern and at the village of

Groveville, in the township of Nottingham, and at the village of Crosswicks, in the township of Chesterfield ; and also to advertise it in one of the newspapers printed in Trenton, for the same length of time.

Which report was read, and agreed to.

Mr. Halsted, from the committee on that subject,

Reported a bill, entitled An act to incorporate the Warren, Morris, and Essex Rail Road Company.

Which bill was read, and ordered a second reading.

Mr. Porter, from the committee on that subject,

Reported a bill, entitled An act to repeal an act, entitled An act to enable the chosen freeholders, of the county of Gloucester, to build a bridge over Mantua Creek, at a place called Crown Point.

Which bill was read, ordered a second reading, and to be printed.

Mr. Capner, from the committee appointed to make alterations in the library room, and the furniture thereof,

Reported, That, in their opinion, the following alterations and improvements are necessary :

1st. To remove the partition on the east side, so as to include the space between the Library and the room adjoining the Council chamber.

2d. To erect additional shelves over the book case on the east side, and to arrange the whole, in such way, as that a platform may be built to afford access to the books above.

3d. To put a cloth on the table, and carpet on the floor.

Resolved, By the Council and General Assembly of this State, that Charles Parker be authorized to make the necessary improvements in the library room and furniture, and that a sum not exceeding one hundred dollars be appropriated for the same.

Which report was read, and agreed to.

Ordered, That the said report be signed by the Speaker, and that the Clerk carry the same to the Council, and request their concurrence therein.

The engrossed bill, entitled An act for the relief of Rebecca Spencer,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to exempt the meadow owned by Ichabod Lore, lying within the bounds of the Friendship Meadow Company, in the county of Cumberland, from certain taxes and assessments therein named,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act for the support of the Government of this State,

Was read a third time, and compared.

On motion, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by the House, and request their concurrence therein.

The bill, entitled An act to authorize the Morris Canal and Banking Company, to extend the Morris Canal to the waters of the Hudson,

Was read a second time, and postponed to the next sitting of the Legislature.

The bill, entitled An act to divorce Maria Stafford, from her husband, Joseph B. Stafford,

Was read a second time, with the accompanying documents, considered by section, and ordered to be engrossed.

The bill, entitled An additional supplement to An act entitled An act to incorporate the New Jersey Turnpike Company, passed the 27th of February, 1806,

Was read a second time, considered by section, and ordered to be engrossed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed a bill, entitled An act to incorporate the Passaic and Hackensack Ferry and Road Company.

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading.

And the message also informed, that the Council have passed the bill from the House of Assembly, entitled An act to repeal an act, entitled an Act to enable the owners and possessors of meadows therein mentioned, to repair, keep up, and maintain the banks, dams, and water works enclosing the same, and for other purposes, passed February 19th, 1796,

Without amendment.

Mr. Capner, with leave, presented a bill, entitled An act for the relief of the State Bank at Trenton.

Which bill was read, and ordered a second reading.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Vroom, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to authorize commissioners to sell and convey the real estate of William Hall, deceased

Which bill was read, and ordered a second reading.

The House proceeded to make their nominations for state and county officers, which were read and compared, and a duplicate of the same sent to Council.

The bill, entitled An act supplementary to An act, entitled An act relative to Insurance Companies, passed 26th December 1826,

Was read a second time, and postponed to next sitting of the Legislature.

The bill from Council, entitled An act to incorporate the Passaic and Hackensack Ferry and Road Company,

Was read a second time, progressed in by section, amended, and postponed.

The House adjourned to 10 o'clock on Monday morning.



MONDAY, November 5, 1827.

Ten o'clock the House met.

The Speaker laid before the House, the following Report of the surviving Trustees of the late New Jersey Protection and Lombard Bank.

REPORT

Of surviving Trustees of the Lombard Bank.

To the Honorable the Legislative Council,

And General Assembly of the State of New Jersey :

The undersigned, surviving Trustees of the creditors and stockholders of the late New Jersey Protection and Lombard Bank, in obedience to the requirements of the fourth section of the act constituting them such Trustees, respectfully REPORT—

That the undersigned made a full statement of their transactions up to the 23d of October 1826, to the last Legislature, to which statement they beg leave to refer your honourable bodies.

They further report, that immediately after the report above referred to was made, they continued their efforts to fulfil the duties of the trust reposed in them.

Finding it impossible to effect any further settlements in the state of New York, until the determination of the suits then pending, and anticipating the delays in the courts of that state, which have, from various causes, attended the administration of justice there, they deemed it expedient to take upon themselves the responsibility of investing part of the funds in their hands, in public securities, bearing an interest.

In consequence of this determination, they purchased thirty thousand dollars, six per cent stock of the United States, in February last, for which they paid thirty thousand eight hundred and fif-

ty dollars, the dividends on which stock constitute part of the available funds in their hands.

At the time the undersigned were engaged, as above stated, in New York, they were not inattentive to the affairs of the late Bank in New Jersey, and to effecting settlements with its debtors here. They are happy to state to the Legislature, that in every instance, as they believe, the principles on which such settlements shall be made are agreed upon, so that no controversy exists between the Trustees and any citizen of this state, involving a point of law or of fact, susceptible of litigation ; and the undersigned confidently hope, that the period is not far distant when every thing that is due from solvent debtors in New Jersey, will be paid. The situation of the suits in New York has not materially varied since the date of the last Report, while adverting to the delays which have attended the course of justice in that state, which have become matter of frequent and loud complaint, the undersigned beg leave to state, that they are far from wishing to express any distrust of, or disrespect to, the learned individuals to whom its administration has been committed. This state of things is the result of circumstances beyond their control, and which they have not the ability to remedy, under the vast accumulation of business in that great commercial emporium. An injunction from the Court of Chancery of New York, has hitherto staid the proceedings against Daniel McLaren, jun. and also against Abraham Quackenbush, both of whom, as, by a reference to the schedule exhibited by the undersigned, at the last session, it will be perceived, are very largely indebted to the Bank. But as the undersigned are advised by counsel, in whose legal learning and sound discretion they have the utmost confidence, this injunction must be dissolved as soon as the causes can be reached and argued.

In two of the suits which have been tried, of minor importance as to amount, decisions have been obtained against the undersigned, on the ground, in the first alluded to, of usury in the origin of the note before its being negotiated with the Bank ; the other, on the ground of the transaction having been in contravention of a statute of New York, against private banking. As the points involved in the charge of the Judge, in the cause last alluded to, may materially affect the future proceedings of the Trustees, it has been decided, by the advice of the most able counsel, to carry up the cause, under a full conviction that the decision of a higher tribunal will reverse that of the court below.

The undersigned beg leave to refer to the following statement for an account of the state of the trust fund, at the present time, deeming it unnecessary to repeat the details given in their last report :

Dolls Cts.

Amount of bills in circulation on the	
30th of November, 1825,	\$ 160,271 41
Amount due to sundry persons for deposits made by them,	11,250 40

Claims presented since, by mechanics, for paper, printing, engraving, &c.	760 10	
	<hr/>	172,312 00
(Incidental claims of unexpired policies of insurance, amounting to \$8,500.)		
Amount of deposits allowed, and paid in various settlements,	6,836 52	
Amount of deposits, where the depositors are still indebted to the Bank, in larger amounts than their deposits, which accounts are not yet settled,	3,396 94	
Amount of Lombard bills received by us, thus far, in settling the transactions of the Bank; some by way of payment, and some by way of off-set,	63,576 19	
	<hr/>	73,809 65
		<hr/>
		98,502 35
Amount of cash invested in United States six per cent stock,	30,850 00	
Amount of cash on hand in sundry banks,	16,294 29	
	<hr/>	47,144 29

(From this last named sum must be deducted the expenses of the trust, and the costs of suits.)

It is the anxious wish of the undersigned to bring this trust to a close, and to pay to the creditors of the Bank, such dividend as can safely be made from the funds on hand; and they will embrace an early opportunity, after the present session of the Legislature, to submit to his excellency the Chancellor, such a statement of the affairs of the late Bank, as will enable him to decide what dividend it will be safe and proper to declare.

All which is respectfully submitted.

WM. PENNINGTON,
PETER KEAN,

Surviving Trustees, &c.

Dated October 27, 1827.

Which report was read, ordered to lie on the table, and to be printed.

Mr. Christie presented a remonstrance from a number of the inhabitants of Bergen county, against the passage of the bill for extension of the Morris Canal to the Hudson river, and also against the passage of the bill for incorporating the Passaic and Hackensack Ferry and Road Company.

Which petition was read, and ordered to lie on the table.

Mr. Christie, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to authorize Robert Thompson to construct a canal through his land, in the township of Bergen, from Newark to New York bay.

Which bill was read, and ordered a second reading.

The engrossed bill, entitled An act to divorce Maria Stafford from her husband, Joseph B. Stafford,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,

Bee,

Capner,

Carson,

Chandler,

Christie,

Coles,

Day,

Earl,

Emly,

Ewing, (Speaker.)

Farlee,

Foster,

Freas,

Hopping,

Jeffers,

Kirkpatrick,

Messrs. Lloyd,

Marsh,

Mickle,

Mills,

Mott,

Munson,

Porter,

Robbins,

Seeley,

Sinnickson,

Snowhill,

Stryker,

Terhune,

Thompson,

Townsend,

Toy,

Van Riper,

West—35.

NAYS.

Messrs. Dodd,

Halsted,

Messrs. Parker,

Wall,

Woodhull—5.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

Mr. Christie submitted the following resolution :

Resolved, That a committee be appointed to cause a survey, plot and map to be made of all the land belonging to this State, at and near the town of Paterson, in the county of Essex, and report the same to the Legislature, at their adjourned session in January next, together with such other information as the said committee shall be able to collect on the subject, for the benefit of the State.

Which resolution was read, and ordered to lie on the table.

The House adjourned to three o'clock in the afternoon.

Three o'clock the House met

Mr. Christie presented the petition of a number of the inhabitants of Bergen county, praying for the passage of the law to authorize Robert Thompson to cut a canal across Bergen Neck, to connect Newark bay with New York bay.

Which petition was read, and ordered to lie on the table.

Mr. Woodhull presented the petition of a number of the inhabitants of Monmouth county, in favor of the State making the Delaware and Raritan Canal.

Which petition was read, and ordered to lie on the table.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled A supplement to An act entitled A further supplement to the act concerning oysters, passed December the 26th, 1826,

Without amendment.

And the message also informed, that the Council have passed the bill from the House of Assembly, entitled An act relative to Jurors, With amendments.

To which amendments they request the concurrence of the House of Assembly.

Which amendments were read, agreed to, and the bill, as amended, ordered to be engrossed.

And the message still further informed, that the Council have passed a bill, entitled An additional supplement to the act entitled An act to incorporate a company to erect a turnpike, from the town of Paterson to the village of Hackensack, passed the 6th day of February, 1815.

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading.

Mr. Mills, with leave, presented a bill, entitled A supplement to the act entitled An act for facilitating the communication from Morristown, in the county of Morris, through Dover, Mount Pleasant, and from thence to Sparta, in the county of Sussex.

Which bill was read, and ordered a second reading.

Mr. Parker, from the committee to whom it was referred to enquire into the expediency of constructing a canal between the tide waters of the Delaware and Raritan,

Reported, That the general welfare of the United States, requires a communication, by water, through the State of New Jersey, connecting the navigable waters of the Delaware and Raritan, as one link of the great chain of internal navigation, which is to connect all the Atlantic States. and part of the western states, with each

other. This great line of communication is necessary for the purposes of trade and intercourse, at all times, and most essential to our protection and defence in time of war. Canals are made and in progress, on the one side of New Jersey, forming, with the bays and rivers with which they communicate, an internal navigation as far as South Carolina; while, on the other side, the sounds, bays, and rivers of the eastern and northern sections of these United States, the Erie and Champlain canals, in the state of New York, and the State Canal, now making in the state of Ohio, form, together, a series of inland navigation, of many thousand miles in extent, interrupted only by the short space in New Jersey, between the Delaware and Raritan. That this part of the communication ought to be made, to complete the whole, seems to the committee, too evident to require an argument. The State of New Jersey, it is conceived, ought not to refuse to do her part, and to contribute her aid in finishing this great work; which, while it will facilitate the intercourse between the different states, and enable them to supply their mutual wants, will so essentially contribute "to form a more perfect union—provide for the common defence—promote the general welfare, and, thereby, secure the blessings of liberty to ourselves and our posterity."

If the general welfare requires the construction of the canal, it is no less the interest of New Jersey to undertake its execution. By its location, in such way, as, that while it answers the general purposes of national intercourse, it may also be rendered subservient to a future system of internal improvement by the State, the canal will contribute to the prosperity of New Jersey; in the facility of communication, by which lumber, coal, and all other articles from the west, may be transported to the eastern part of the State; affording essential supplies, as well to the private wants as to the manufacturing interest of that section; securing to each portion of the State, a safe, speedy and cheap conveyance to either of the great markets of New York and Philadelphia, now only open respectively to each side; by the spring, which opportunity always affords to the exertions of the industrious and enterprising, by securing to our own citizens the benefits enjoyed in other states, where internal improvements have taken the start of us; and, by giving them an opportunity to improve their condition at home, without emigrating to more favored states, as has been too much the case in New Jersey, to the great and manifest injury and loss of our native State. We invariably find, that manufactures, trade and agriculture, flourish most in those states where the government has led the way in public improvement—where the spirit of those in authority, has drawn forth the resources of the state to contribute to its internal improvement, and given the lead to the exertions and enterprise of its inhabitants. The State of New Jersey ought to make the canal. Limited in territory, few in numbers, compared with others of the states, we ought to improve the advantages of our situation, as the surest and best means of increasing our importance in wealth and

population. We have been too long inactive and silent spectators of the growth and prosperity of our neighbors, while our sons have been obliged to leave their homes, and seek their fortunes in other quarters, and to contribute their lives and industry to increase the prosperity of distant regions.

To stimulate us in undertaking this important work, we would remark, that the situation of New Jersey is, in this respect, highly favorable. On one side, New York, with rapid strides, has progressed in the opening a communication, by water, to the great inland seas of the west, reaching the extensive and fertile districts of Ohio and Michigan, already filled by a hardy, industrious and enterprising people, and the boundless regions on the lakes, hereafter to be subdued and cultivated by the surplus population of the east. In a northern direction, her canals reach to Canada; and the inland sea, between Long Island and the shores of New England, with the rivers of that section, form extended communications by water—all centering in the great emporium of commerce, at New York; affording advantages unequalled by any city in this western world. The rapid increase of the city of New York, in wealth and numbers, and the general prosperity of the state, prove the wisdom of her policy, if a doubt could have existed on this head.

On the other side, Pennsylvania, emulating the liberal policy of her sister state, has risen in her strength, and by a system of internal improvement, commenced the construction of canals in every direction through her fertile and extensive domain—calculated to draw to her capital at Philadelphia, the wealth and produce of her own state, and of the neighboring states. The effect of this policy cannot be doubted. The solid capital of Philadelphia—the eminence she has already attained, fostered and encouraged by the enlightened policy of the state, ensure an encrease of her wealth, trade and importance. Under the present policy of Pennsylvania, she may be second, but only second to her more favored rival.—The right of way, by internal communication, between these great cities, in which are condensed trade, the manufactories and the wealth, of more than half the U. States, is in the State of New Jersey. The only safe and certain route; the cheapest communications between the millions of people on each side is in our hands. The numberless articles, the interchange of which will be required for the supply of their mutual wants, convenience, and luxury, must and will, in a great measure, pass through a canal that will connect the Delaware and Raritan. The sea, it is true, will afford a way by which a part may be carried, but certainly in time—safety in transporting, with a reasonable freight, will always ensure a preference to canal routes, over the uncertainty and danger of a sea voyage. The ground between the rivers is most favorable for a canal, an elevation of little more than fifty feet above the tide, is the summit; and a canal along the margin of the Delaware, supplied from the redundant waters of that river, will serve as a feeder to the main canal, affording at the same time, a communication for the passage of boats, more than sufficient to pay

the expense of its construction. In an estimate made by two of our most experienced engineers, from actual survey in 1825, it is stated that the expense of the main canal across the State, sixty feet wide, and eight feet deep, including lockage, bridges, aqueducts, &c. will be

\$862,293 00

And of the feeder, 40 feet wide, and 5 feet deep,

226,032 00

1,088,325 00

Add, for contingencies, 5 per cent,

54,416 00

\$1,142,741 00

Affording a canal of 60 miles for little more than one million of dollars, which in a few years must be the chief means of communication for many millions of people.

If it were necessary to limit the expense of construction to a less sum, by lessening the capacity of the canal, a proportionate reduction of the cost might be made. On this head, the committee conceive themselves not called upon to give an opinion, further than to remark, that in a work of such importance, nothing should be omitted to make the canal of dimensions sufficient to secure the greatest benefit, and to provide for a transportation over it, far greater than is now generally contemplated. If the progress of improvement should continue for a few years longer, in the ratio of the past, the canal now estimated, may be too small for the transportation upon its waters. It is well ascertained, that the funds necessary for the completion of the canal, may be procured by loan, at an interest not exceeding five per cent. per annum, by pledging the faith of the state, and the income of the canal, for the payment of the interest and reimbursements of the principal. A loan at this rate, the principal unredeemable for a period of years, it is believed, would command a premium at least equal to the interest accruing for the first two years, within which time the canal can be completed.

There is no doubt that the general government would contribute by loan or otherwise, if desired, a great part of the requisite means on terms higher favorable to the State, and it will be at our option to accept either, as the terms may appear most favorable. It remains to enquire how far it is probable, that the tolls to be received upon the completion of the canal, will pay the necessary repairs and interest on the loan. On this head there are no data which can be relied on with arithmetical accuracy. Let us imagine, however, that instead of a neck of land separating the two rivers, a communication by water capable of carrying vessels of burden had been formed by nature, and afforded a safe and certain inland passage between the two great cities, coming into competition with the dangerous and uncertain voyage by sea of three times the distance. Can we doubt that in such a case, the whole trade and intercourse between these emporiums of commerce, would have followed the short, safe, and

certain way, and that the sea for this purpose would have been nearly abandoned. Let then this internal communication be opened by the construction of a canal of proper dimensions, and it needs no demonstration to convince us, that the great quantity of merchandize passing between New York and Philadelphia, and to the north and south, would find its way along the canal. The canal would carry to New York, and the eastern border of New Jersey, the coal of the Lehigh, the Schuylkill, and the Susquehanna. The lumber of the Delaware and Susquehanna would pass to the east, to supply that essential article, which, notwithstanding the vast quantity from the canals of the Hudson, is still enhanced in price. In fine, the Delaware and Raritan canal will be the short tunnel through which, at no distant day, will be carried the trade and intercourse of the states on each side, containing a population exceeding the whole population of the United States, at the adoption of the constitution.

The committee, then, have no doubt, that the tolls of the canal will more than compensate the repairs and interest, and in a few years, repay the principal of the loan contracted for its execution.

They make this calculation without adverting to the possibility of war, in which, however, reluctantly, and contrary to our policy, we may, hereafter, be engaged. In such event, while the advantages of the canal would be most important, the revenue would be immense. Had a canal through New Jersey existed during the last war, it would have saved millions to the general government in money, and more in time, transporting munitions of war to the different states—and the tolls would then have paid for its construction. The committee do not stand alone in their opinion of the probable benefits arising from the canal—its importance, the necessity of making it, and the belief that its revenue would, in a few years, pay the principal and interest of the monies expended, have been acknowledged by the commissioners, who, at different times, under the direction of the state, have examined the route proposed.

It is no small consideration in the minds of the committee, that the main canal across the State, will afford opportunity for other canals, branching from it in various directions, and extending to many parts of the State, where our citizens only await an occasion to improve their means of transportation, and thereby add to the wealth and resources of the State.

The short time before the termination of the present sitting, does not allow the committee to add more. Holding the opinion that it is expedient for the state to construct the canal, they submit herewith a bill to that effect.

By order of the committee,

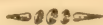
JAMES PARKER.

November 5th, 1827.

Mr. Parker also reported a bill, entitled An act to provide for the improvement of the internal navigation of the State

Which bill was read, ordered a second reading, and, with the report of the committee on the subject, was ordered to be printed.

The Council came into the Assembly room; the two Houses went into a joint meeting, and, after going through their appointments, the joint meeting rose, the House came to order, and adjourned to ten o'clock to-morrow morning.



TUESDAY, November 6, 1827.

Ten o'clock the House met.

Mr. Vroom presented the petition of Daniel C. Van Liew, administrator with the will annexed, of Cornelius Van Liew, late of the county of Somerset, deceased, praying for a law authorizing him to sell the real estate of said deceased.

Which petition was read, and committed to Messrs. Vroom, Robbins, and Townsend.

Mr. Dodd presented the petition of Rhode H. Tuttle, of Essex county, praying to be divorced from her husband, Jabez Tuttle.

Which petition was read, and committed to Messrs. Dodd, Earl, and Clifford.

Mr. Lloyd presented the petition of James P. Allaire, and Thomas P. Walworth, of Monmouth county, praying for the incorporation of the Howell Furnace Company, for the manufacture of iron, brass, &c.

Which petition was read, and committed to Messrs. Lloyd, Marsh, and Foster.

Mr. Earl presented the petition of a number of inhabitants of this State, praying for legislative aid in the prevention and suppression of intemperance.

Which petition was referred to the committee on that subject.

Mr. Chandler, from the committee on that subject,

Reported a bill, entitled An act to defray incidental charges.

Which bill was read, a first and second time, considered by section, and ordered to be engrossed.

The bill, entitled An act to incorporate a part of the township of Newton, in the county of Gloucester,

Was read a second time, gone through by section, and ordered to be engrossed.

The engrossed bill, entitled An additional supplement to an act to incorporate the New Jersey Turnpike Company, passed 27th February, 1806,

Was called up, and re-committed.

The report of the surviving Trustees of the late New Jersey Protection and Lombard Bank.

Was called up, and committed to the committee to whom the resolution on the subject of distributing the funds of said bank among its creditors, was referred.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled An act for the relief of Rebecca Spencer,

Without amendment.

And that the Council have passed a bill, entitled An act to dissolve the marriage contract between Stephen Hays, and Phebe his wife.

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading.

Mr. Vroom, from the committee to whom was re-committed the engrossed bill, entitled An additional supplement to an act to incorporate the New Jersey Turnpike Company, passed 27th February, 1806,

Reported, The same with an amendment.

Which amendment was read, agreed to, and the bill as amended, postponed to next sitting of the Legislature.

The re-engrossed bill, entitled An act relative to Jurors.

Was read, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows.

YEAS.

Messrs. Armstrong,
Capner,
Carson,
Chandler,
Christie,
Coles,
Day,
Dodd,
Earl,
Emly,
Foster,
Freas,
Halsted,
Hopping,
Jeffers,

Messrs. Kirkpatrick,
Mickle,
Mills,
Mott,
Munson,
Parker,
Porter,
Sinnickson,
Snowhill,
Stryker,
Terhune,
Toy,
Van Riper,
Vroom,
Wall,

Woodhull—31.

NAYS.

Messrs. Clifford,
Ewing, (Speaker.)
Farlee,
Lloyd,

Messrs. Marsh,
Robbins,
Sceley,
Thompson,

Townsend—9.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that the amendments made thereto in Council, have been agreed to by this House, and that they have caused said bill to be re-engrossed.

The bill from Council, entitled An act to incorporate the Passaic and Hackensack Ferry and Road Company,

Was read a third time, as amended.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,

Bee,

Capner,

Carson,

Chandler,

Clifford,

Coles,

Day,

Dodd,

Emly,

Ewing, (Speaker.)

Farlee,

Foster,

Halsted,

Hopping,

Jeffers,

Kirkpatrick,

Lloyd,

Messrs. Marsh,

Mickle,

Mills,

Mott,

Munson,

Parker,

Robbins,

Seeley,

Sinnicksen,

Snowhill,

Stryker,

Terhune,

Thompson,

Townsend,

Toy,

Vroom,

Wall,

Woodhull—36.

NAYS.

Messrs. Christie,

Messrs. Freas,

Van Riper—3.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, and inform them that it has been passed by this House,

With amendments.

To which amendments, this House request the concurrence of the Council.

The bill from Council, entitled an additional supplement to the act entitled An act to incorporate a company, to erect a turnpike from the town of Paterson to the village of Hackensack, passed the 6th day of February, 1815,

Was read a second time, considered by section, and ordered a third reading.

On motion, the said bill was read a third time.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council, that the House have passed said bill,

Without amendment.

Mr Capner submitted the following resolution :

Resolved, That a committee be appointed, to enquire into the expediency of the State of New Jersey, in concert with the state of Pennsylvania, erecting a dam across the Delaware, at the head of the falls, near the city of Trenton, for improving the navigation thereof, and of creating a water power for manufacturing objects, and such other purposes as may be consistent with the interests of the State, and the prosperity and welfare of the adjacent counties.

Which resolution was read, and postponed to the next sitting of the Legislature.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Mickle presented a petition from a number of the inhabitants of this State, praying a law to authorize the construction of a rail road, from the town of Camden, opposite to Philadelphia, to the bay of Amboy.

Which petition was read, and committed to Messrs. Mickle, Woodhull, Dodd, Toy, and Jeffers.

Mr. Parker, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to incorporate the Raritan Coal Mining Company.

Which bill was read, and ordered a second reading.

Mr. Dodd, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to divorce Rhoda H. Tuttle, from her husband, Jabez Tuttle.

Which bill was read, and ordered a second reading.

The bill, entitled a supplement to the act entitled An act for facilitating the communication from Morristown, in the county of Morris, through Dover, Mount Pleasant, and from thence to Spar-ta, in the county of Sussex,

Was read a second time.

Whereupon, Mr. Mills presented a petition from the President, on behalf of the Directors of said Company, with a map of the said road.

Which petition was read, and ordered to lie on the table.

The bill was then gone through with, by section, and ordered to be engrossed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill, from the House of Assembly, entitled An act to divorce Maria Stafford from her husband, Joseph B. Stafford ; and,

The bill, from the House, entitled An act to exempt the meadow, owned by Ichabod Lore, lying within the bounds of the Friendship Meadow Company, in the county of Cumberland, from certain taxes and assessments therein named, respectively,

Without amendment.

Mr. Parker submitted the following resolution :

Resolved, That the Attorney General be requested to examine, and report to this House, what measures are necessary and proper, to be taken by the Legislature, to annul, repeal, or otherwise make void the powers and privileges, granted to "the President, Directors, and Company, of the Jersey Bank," by acts passed the 6th and 13th February, 1818 : the powers and privileges granted to "the Hoboken Banking and Grazing Company," by the act passed the 15th November, 1822 : and, the powers and privileges granted to "the Franklin Bank of New Jersey," by the act passed 28th December, 1824, or either of them.

Which resolution was read, and agreed to.

The resolution submitted yesterday, by Mr. Christie, to cause a survey, plot and map, to be made of the State lands at Paterson, and for the collection of information relative thereto,

Was called up, and read ;

Whereupon, Mr. Christie offered the following, as a substitute for said resolution :

Resolved, That a committee be appointed to enquire, and report to this Legislature, at their next session, the present value of the lands at Paterson, belonging to this State, and how far it will be for the public interest to sell any part thereof, together with such other information as the said committee shall be able to collect on the subject, for the benefit of the State.

Which resolution was read, and laid on the table.

Mr. Earl, with leave, presented a bill, entitled a supplement to an act entitled An act concerning roads.

Which bill was read, ordered a second reading, and to be printed.

The House adjourned to eight o'clock to-morrow morning.



WEDNESDAY, November 7, 1827.

Eight o'clock the House met.

Mr. Kirkpatrick presented the petition of a number of the inhabitants of Morris county, praying for a law to authorize the straightening the channel of the Whippeny river, in said county.

Which petition was read, and committed to Messrs. Kirkpatrick, Day, and Munson.

Mr. Kirkpatrick also presented a petition from inhabitants of Morris county, for the passage of a law more effectually to drain the low lands on the Parsippany Brook, Ford's Ditch, and Company Ditch, in said county.

Which petition was referred to the same committee.

Mr. Mickle, from the committee to whom was referred the memorial of sundry citizens of this State, applying for a law to authorize the construction of a rail way, from Camden, on the river Delaware, to Amboy bay,

Reported, That the petitioners have leave to present a bill, for that purpose, on the first Thursday of the next sitting of the Legislature.

Which report was read, and agreed to.

The engrossed bill, entitled An act to incorporate a part of the township of Newton, in the county of Gloucester,

Was called up, and postponed to the next sitting of the Legislature.

The engrossed bill, entitled An act to defray incidental charges,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to the Council, inform them that it has been passed by this House, and request their concurrence therein.

The resolution of Mr. Christie, for a committee to be appointed to ascertain and report the situation and value of the State lands at Paterson, &c.

Was read, agreed to, and Messrs. Christie, Dodd, and Parker, accordingly appointed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the resolution, &c. from the House of Assembly, relative to the State library room,

With an amendment.

To which amendment they request the concurrence of the House of Assembly.

Which amendment was read, agreed to, and the resolution, &c. ordered to be engrossed.

The message also informed, that the Council have passed the bill from the House of Assembly, entitled An act to defray incidental charges; and the bill, entitled An act for the support of the government of this State, respectively,

Without amendment.

The House adjourned to Wednesday, the 16th day of January,
next

ADJOURNED SITTING.

TRENTON, *Wednesday, January 16, 1828.*

PURSUANT to adjournment, the General Assembly met this day, and a quorum being present, proceeded to business.

Ordered, That the Clerk inform Council accordingly.

James S. Green, a representative for the county of Somerset, appeared, produced the certificate of his election, was qualified, and took his seat in the House.

Mr. Vroom presented the petition of Simon Van Liew and others, heirs of Cornelius Van Liew, late of Somerset county, deceased, praying the passage of a law appointing Frederick C. Van Liew, a trustee, to sell certain real estate, and thereby to carry into effect the true intent and meaning of said testator.

Which petition was read, and committed to Messrs. Vroom, Robbins, and Townsend.

Mr. Christie presented a petition from a number of the inhabitants of the southern part of the township of Saddle River, in the county of Bergen, praying that that part of said township may be annexed to the township of Lodi, in said county.

Which petition was read, and committed to Messrs. Christie, Mills, and Chandler.

Mr. Parker presented the petition of John T. McDowell, Joseph McChesney, and David Mercereau, of Middlesex county, praying compensation for surveying certain oyster lots, at South Amboy.

Which petition was read, and committed to Messrs. Parker, Farlee, and Stryker.

Mr. Day presented the petition of a number of the inhabitants of Bergen county, bordering on the river Passaic, opposite the town of Paterson, praying to be included within the territorial limits, and to participate the corporate privileges of the Paterson Fire Association.

Which petition was read, and committed to Messrs. Day, Green, and Hopping.

The House adjourned to three o'clock in the afternoon.

Three o'clock the House met.

Mr. Hopping presented a petition from a number of the inhabitants, owners of a tract of salt marsh, in Middletown, Monmouth county, known by the name of Throckmorton's Island Meadows, praying for a law to authorize the enclosing and draining of the same.

Which petition was read, and committed to Messrs. Hopping, Foster, and Townsed.

Mr. Jeffers presented a petition from a number of owners and possessors of meadow, swamp, and cripple, lying on the west branch of Stoe creek, in Salem county, praying the passage of a law to authorize the embankment of the same,

Which petition was read, and committed to Messrs. Jeffers, West, and Toy,

Mr. Robbins presented the petition of a number of inhabitants of Warren and Hunterdon counties, remonstrating against the passage of an additional supplement to the act, entitled An act to incorporate the New Jersey Turnpike Company.

Which petition was read, and ordered to lie on the table.

The House adjourned to ten o'clock to-morrow morning.



THURSDAY, January, 17, 1828.

Ten o'clock the House met.

Mr. Day presented the petition of the President and Cashier, in behalf of the Directors and Company of the State Bank, at Newark, praying a renewal of the charter.

Which petition was read, and committed to Messrs. Day, Jeffers, and Townsed.

Mr. Jeffers presented the petition of Mary Taylor, of Salem county, praying to be divorced from her husband, William Taylor.

Which petition was read, and committed to Messrs. Jeffers, Mickle, and Emly.

Mr. Seeley presented the petition of Hannah Robinson, of Cumberland county, praying to be divorced from her husband, John Robinson.

Which petition was read, and committed to Messrs. Seeley, Coles and Thompson.

Mr. Dodd presented the petition of the Trustees of St. Paul's Church, at Paterson, praying for a grant of part of the State lands at Paterson, for a burying ground.

Which petition was read, and committed to Messrs. Christie, Dodd, and Parker, the committee on the subject of the State lands at Paterson.

Mr. Woodhull presented the petition of a number of the residents and freeholders of Monmouth and Burlington counties, praying that a new county may be set off, from parts of the above named counties, to be called Atlantic.

Which petition was read, and committed to Messrs. Woodhull, Earl, and Dodd.

Mr. Kirkpatrick presented a petition from the stockholders of the Morris Canal and Banking Company, praying that said canal may be extended to the Hudson river.

Mr. Kirkpatrick also presented the petition of the Associates of the Jersey Company, in favor of the extension of said canal.

Which together, were ordered to lie on the table.

Mr. Christie presented a petition of a number of the inhabitants of Bergen county, praying the passage of An act, to authorize Robert Thompson, to construct a canal through his land, in the township of Bergen, from Newark to New York bay, and remonstrating against the passage of the bill, for extending the Morris and Passaic Canal to the Hudson river.

Mr. Christie also presented the remonstrance of certain land holders of Bergen county, through whose lands the proposed extension of the Morris and Passaic Canal, as contemplated to be run, against the extension of the said canal.

Which were severally read, and together ordered to lie on the table.

Mr. Seeley presented the petition of the owners of a tract of salt and wild marsh and swamp, in the township of Downes, Cumberland county, for a law to authorize them to stop Ogden's Creek, by erecting a dam across the same.

Which petition was read, and committed to Messrs. Seeley, Sinickson, and Lloyd.

Mr. Christie presented the petition of a number of the inhabitants of the county of Bergen, for a law to authorize the construction of a turnpike road, from the town of Hackensack to Fort Lee, on the North river.

Which petition was read, and committed to Messrs. Christie, Coles, and Kirkpatrick.

Mr. Woodhull presented a petition from a number of the citizens of this State, praying the adoption of measures, to prevent or lessen the evils of intemperance.

Which petition was referred to the committee on that subject.

Mr. Day, from the committee on that subject,

Reported a bill, entitled a supplement to the act entitled An act to incorporate the Paterson Fire Association, passed November 3d, 1821.

Which bill was read, and ordered a second reading.

A message from Council, by Mr. Coleman, their Secretary, of

the sixteenth date, informed the House, that the Council have met this day, and proceeded to business.

The bill, entitled An act to incorporate the Hudson Turnpike Company, in the county of Bergen,

Was called up, on motion of Mr. Christie, and re-committed.

The bill, entitled An act granting assistance to the New Jersey Colonization Society ; and the bill, entitled An act concerning free people of colour,

On motion of Mr. Green, were called up, and committed to Messrs. Green, Wall, and Snowhill.

The bill, entitled An act to repeal an act entitled An act to enable the chosen freeholders of the county of Gloucester, to build a bridge over Mantua creek, at a place called Crown Point,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled An act to regulate the pasturing of a tract of salt marsh, in the township of Fairfield, in the county of Cumberland,

Was read a second time, gone through with by section, and ordered to be engrossed.

The engrossed bill, entitled A supplement to the act entitled An act for facilitating the communication from Morristown, in the county of Morris, through Dover, Mount Pleasant, and from thence to Sparta, in the County of Sussex,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried as follows :

YEAS.

Messrs. Armstrong,

Bee,

Capner,

Carson,

Chandler,

Christie,

Coles,

Day,

Dodd,

Earl,

Emly,

Ewing, (Speaker.)

Farlee,

Foster,

Freas,

Green,

Halsted,

Hopping,

Jeffers,

Messrs. Lloyd,

Marsh,

Mickle,

Mills,

Mott,

Munson,

Porter,

Robbins,

Seeley,

Sinnickson,

Snowhill,

Stryker,

Terhune,

Thompson,

Townsend,

Toy,

Van Ripper,

Vroom,

West,

Woodhull—39

NAY.

Mr Parker—1

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The engrossed bill, entitled An act to incorporate a part of the township of Newton, in the county of Gloucester,

Was read a third time.

Whereupon, Mr. Porter presented a remonstrance from owners of land in the vicinity of the town of Camden, in the township of Newton, and county of Gloucester, against the passage of said bill.

Which was read, and the bill postponed.

The House then adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Earl presented the petition of Richard Eyre, of Burlington county, for a law to authorize him to erect a dam across the main south branch of Rancocus creek.

Which petition was read, and committed to Messrs. Earl, Coles, and Marsh.

Mr. Halsted presented the petition of the Mayor, Deputy Mayor, Recorder and Aldermen of the borough of Elizabeth, praying the passage of a law to authorize the improvement of the navigation of Elizabethtown creek, from the stone bridge in Elizabethtown, to the sound.

Mr. Halsted also presented the petition of a number of the inhabitants of Essex county, praying the passage of a law for the afore-said purpose.

Which petitions were read, and committed to Messrs. Halsted, Vroom, and Munson.

Mr. Christie presented a petition from a number of the inhabitants of Bergen county, praying the passage of a law to widen the draws in the bridges over the Hackensack and Passaic rivers.

Which petition was read, and committed to Messrs. Christie, Halsted, and Kirkpatrick.

Mr. Woodhull presented a statement of the situation and accounts of the bank of Monmouth, rendered in pursuance of a provision in their charter.

Which was ordered to lie on the table.

The bill, entitled A supplement to the act entitled An act to incorporate the Mechanics' Insurance Company, in the county of Essex,

Was called up, and re-committed.

Whereupon, Mr. Dodd presented a petition from the President

and Secretary, in behalf of said Mechanics' Insurance Company, complaining of losses, and praying an exemption from the tax imposed by their charter.

Which petition was read, and referred to the committee to whom the bill was re-committed.

The bill, entitled A supplement to an act entitled An act concerning roads,

Was read a second time, and postponed.

The House resumed the consideration of the bill, entitled An act to incorporate a part of the township of Newton, in the county of Gloucester.

On the question recurring, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The bill, entitled An act supplementary to the act entitled An act relative to the Supreme and Circuit Courts,

Was read a second time, progressed in by section, and postponed.

The House adjourned to 10 o'clock to-morrow morning.



FRIDAY, January 18, 1848.

Ten o'clock the House met.

Mr. Dodd presented the petition of a part of the stockholders of the Morris Canal and Banking Company, remonstrating against the extension of said canal.

Mr. Dodd also presented a remonstrance of the inhabitants of the town of Newark, against running the line of the Morris Canal through the streets of said town.

Mr. Dodd likewise presented a remonstrance of the owners of the packets, &c. of the town of Newark, against the extension of the Morris Canal through the said town of Newark, unless the said canal is made to intersect the Passaic river, at the aforesaid town.

Which petitions and remonstrances were read, and ordered to lie on the table.

Mr. Christie presented the petition of certain inhabitants of the township of Pompton, in Bergen county, praying the passage of a law to authorize the owners and possessors of a certain tract of rich bottom land, in said township, to drain the same.

Which petition was read, and committed to Messrs Christie, Green, and Wall.

Mr. Dodd presented the petition of the officers and privates of the volunteer company in the township of Newark, called "Williamson's Guards," praying a supply of the State arms for their use, on days of parade.

Which petition was read, and referred to the Quarter Master General.

Mr. Vroom, from the committee to whom was referred the petition of Simon Van Liew and others, heirs of Cornelius Van Liew, and praying for the appointment of a trustee, to sell the real estate,

Reported a bill, authorizing Frederick C. Van Liew to sell and convey the real estate of Cornelius Van Liew, deceased.

Mr. Day, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to extend the act incorporating the State Bank at Newark.

Which bill was read, and ordered a second reading.

Mr. Kirkpatrick, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled A supplement to the act entitled An act more effectually to provide for the removal of all obstructions to the free course of the waters in the river Passaic and its branches, between Cook's bridge and the Reef, at the Little Falls, next below the turnpike bridge, commonly called Sinjack bridge.

Which bill was read, and ordered a second reading.

Mr. Lloyd, from the committee on that subject,

Reported a bill, entitled An act to incorporate the Howell Works Company.

Which bill was read, and ordered a second reading.

The House resumed the consideration of the bill, entitled An act supplementary to the act entitled An act relative to the Supreme and Circuit Courts,

And, after progressing in the same, it was again postponed.

The bill, entitled An act to authorize Robert Thompson to construct a canal through his land, in the township of Bergen, from Newark bay to New York bay,

Was read a second time, gone through by section, and ordered to be engrossed.

The House adjourned to three o'clock in the afternoon



Three o'clock the House met.

Mr. Clifford presented the petition of George Opdycke, of Ringwood township, Hunterdon county, administrator with the will an-

nexed, of Moses Warford, of said county, deceased, praying the passage of a law to authorize him to make sale of, and to execute titles for, the real estate of said deceased.

Which petition was read, and committed to Messrs. Clifford, Vroom, and Toy.

Mr. Earl, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to authorize Richard Eyre to erect and maintain a dam across the main south branch of Rancocus creek.

Which bill was read, and ordered a second reading.

Mr. Christie, from the committee to whom was referred the petition for a turnpike road from Hackensack to Fort Lee, and to whom was also re-committed the bill, entitled An act to incorporate the Hudson Turnpike Company, in the county of Bergen,

Reported the latter named bill, with amendments, and the title so amended as to read, An act to incorporate the Hackensack and Fort Lee Turnpike Company, in the county of Bergen.

Which amendments were read, agreed to, and the bill, as amended, read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled An act to divorce Rhoda H. Tuttle from her husband, Jabez Tuttle,

Was read a second time, with the accompanying documents, considered by section, and ordered to be engrossed.

The engrossed bill, entitled An act to repeal an act entitled An act to enable the chosen freeholders of the county of Gloucester, to build a bridge over Mantua creek, at a place called Crown Point,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to regulate the pasturing of a tract of salt marsh, in the township of Fairfield, in the county of Cumberland,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The engrossed bill, entitled An act to authorize the Morris Canal and Banking Company, to extend the Morris Canal to the waters of the Hudson,

Was called up, and re-committed.

The House adjourned to ten o'clock to-morrow morning.

SATURDAY, January 19, 1825.

Ten o'clock the House met.

Messrs. Wall and Clifford, of Hunterdon, and Mr. Robbins, of Warren, severally presented petitions from inhabitants of their respective counties, in favour of the Delaware and Raritan Canal being made at the expense of the State.

Which petitions were ordered to lie on the table.

Mr. Clifford presented several remonstrances from inhabitants of Hunterdon county, against the passage of a law for making the Delaware and Raritan Canal at the expense of the State, and recommending the construction of a rail road in lieu thereof.

Which remonstrances were ordered to lie on the table

Mr. Robbins presented a petition of a number of the inhabitants of Warren county, praying the State to make an appropriation of money, to assist in making a road over that opening of the Blue Mountain, near the Water Gap.

Which petition was read, and committed to Messrs. Robbins, Carson, and Emly.

Mr. Day presented the petition of the officers and a number of the privates of the 1st battalion, 5th regiment of the Essex brigade, praying to be organized as a regiment.

Which petition was read, and committed to Messrs. Day, Carson, and Porter.

Mr. Seeley presented the petition of Robert S. Buck, Sheriff of the county of Cumberland, praying payment for his services in conveying prisoners from Philadelphia to the jail of said county of Cumberland, by virtue of an order of the Executive of this State.

Which petition was read, and committed to Messrs. Seeley, Vroom, and Earl.

Mr. Lloyd presented the petition of Thaddeus Whitlock, Alexander McGregor, and John P. Lewis, proprietors of the Long Branch Bath Buildings, in Monmouth county, praying an act of incorporation.

Which petition was read, and committed to Messrs. Lloyd, Farlee, and Townsend.

Mr. Carson presented a petition of sundry inhabitants of Middlesex county, complaining of abuses in public house keepers, selling liquors, &c. without licenses, and praying provision by law, for remedying the evil.

Which petition was read, and committed to Messrs. Carson, Thompson, and Freas.

Mr. Seeley, from the committee on that subject,

Reported a bill, entitled An act to divorce Hannah Robinson from her husband. John Robinson.

Which bill was read, and ordered a second reading.

Mr. Seeley, with leave, presented a bill, entitled a further supplement to An act entitled An act, constituting courts for the trial of small causes.

Which bill was read, and ordered a second reading.

The bill, entitled An act for the safety of passengers in steam boats and stages,

Was read a second time, and postponed.

The House adjourned to 10 o'clock on Monday morning.



MONDAY, January 21, 1828.

Ten o'clock the House met.

Mr. Parker presented the petition of the President and Cashier, on behalf of the Directors and Company of the State Bank, at New Brunswick, praying a renewal of their charter.

Which petition was read, and committed to Messrs. Parker, Stryker, and Hopping.

Mr. Bee presented the petition of sundry inhabitants of Gloucester county, praying a law to authorize them to stop the old channel of Great Timber creek, above Abbot's Sluice, now nearly deserted by the stream that formerly flowed through it.

Which petition was read, and committed to Messrs. Bee, Jeffers, and Toy.

Mr. Kirkpatrick presented the petition of the selectmen and inhabitants of Jersey City, in favor of extending the Morris Canal to the Hudson.

Which petition was read, and laid on the table.

Mr. Parker presented the petition of inhabitants and landholders in Middlesex county, praying a law to compel the South River Canal Company, to erect bridges across said canal, on the several farms which it crosses.

Which petition was read, and committed to Messrs. Parker, Clifford, and Thompson.

Mr. Dodd presented a petition from a number of the inhabitants of this State, for a law to prevent or lessen the evils of intemperance.

Which petition was referred to the committee on that subject.

Mr. Dodd presented the petition of a number of the inhabitants of the town of Newark, against the extension of the Morris Canal, unless the same intersect the Passaic river, at or near Newark.

Which petition was ordered to lie on the table.

Mr. Earl presented a petition from Messrs. Paul's, of Philadelphia, owners of mills and factory, at Eyrestown, in Burlington county, remonstrating against the passage of a bill, for erecting and keeping up a dam, across the main south branch of Rancocus creek, at Lumberton,

Whereupon, on motion of Mr. Earl, the bill, entitled An act to authorize Richard Eyre, to erect and maintain a dam across the main south branch of Rancocus creek,

Was called up, and re-committed, and the above named petition referred to the same committee.

Mr. Kirkpatrick, from the committee to whom was re-committed the engrossed bill, entitled An act to authorize the Morris Canal and Banking Company, to extend the Morris Canal to the waters of the Hudson,

Reported the same, with amendments.

Which amendments were agreed to, and the bill ordered to be re-engrossed.

Mr. Mott, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to authorize Phineas S. Bunting, administrator *de bonis non* of Frederick Brooks, deceased, to execute deeds of conveyance for lands, sold by a former administrator.

Which bill was read, and ordered a second reading.

Mr. Mickle, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to incorporate the Camden and Amboy Rail Road Company.

Which bill was read, and ordered a second reading.

Mr. Parker, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act for the relief of John T. McDowell, Joseph McChesney, and David Mercereau.

Which bill was read, and ordered a second reading.

Mr. Christie, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled A supplement to an act entitled An act to establish a new township, in the county of Bergen, to be called the township of Lodi.

Which bill was read, ordered a second reading, and to be printed.

Mr. Wall, with leave, presented a bill, entitled An act to incorporate the Hunterdon county Mining Company.

Which bill was read, and ordered a second reading.

The House resumed the consideration of the bill, entitled A supplement to an act entitled An act concerning roads ; and after further progressing therein, the said bill was postponed.

The bill, entitled An act to divorce Hannah Robinson from her husband, John Robinson,

Was read a second time with the accompanying documents, considered by section, and ordered to be engrossed.

The engrossed bill, entitled An act to authorize Robert Thompson, to construct a canal through his land, in the township of Bergen, from Newark bay to New York bay,

Was called up, and re-committed.

The engrossed bill, entitled An act to incorporate the Hackensack and Fort Lee Turnpike Company, in the county of Bergen,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,

Bee,

Capner,

Chandler,

Christie,

Coles,

Dodd,

Earl,

Emly,

Ewing, (Speaker.)

Foster,

Freas,

Green,

Halsted,

Hopping,

Jeffers,

Kirkpatrick,

Lloyd,

Marsh,

Messrs. Mickle,

Mills,

Mott,

Munson,

Parker,

Porter,

Robbins,

Seeloy,

Sinnickson,

Snowhill,

Stryker,

Terhune,

Thompson,

Townsend,

Toy,

Van Riper,

Vroom,

Wall,

West—38.

NAYS.

Messrs. Clifford,

Farlee—2.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to divorce Rhoda H. Tuttle from her husband, Jabez Tuttle,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,

Bee,

Capner,

Christie,

Clifford,

Coles,

Day,

Dodd,

Earl,

Messrs. Emly,

Ewing, (Speaker.)

Farlee,

Foster,

Freas,

Halsted,

Hopping,

Jeffers,

Kirkpatrick,

Messrs. Lloyd,
Marsh,
Mickle,
Mills,
Mott,
Munson,
Porter,
Secley,

Messrs. Sinnickson,
Snowhill,
Terhune,
Thompson,
Townsend,
Toy,
Van Riper,
West—34.

NAYS.

Messrs. Chandler,
Green,
Parker,

Messrs. Robbins,
Stryker,
Vroom,

Wall—7.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Carson presented a petition of a number of the stockholders of the Bordentown and South Amboy Turnpike Company, praying an increase of their capital stock, for the purpose of making a rail road from Bordentown to Amboy.

Which petition was read, and committed to Messrs. Carson, Earl, and Porter.

Mr. Parker, of Middlesex, Mr. Vroom, of Somerset, and Mr. Armstrong, of Warren, severally presented petitions from inhabitants of their respective counties, in favour of the State making the Delaware and Raritan Canal.

One of which petitions was read, and together, ordered to lie on the table.

Mr. Emly, of Burlington, and Mr. West, of Monmouth, severally presented petitions from inhabitants of their respective counties, remonstrating against the State making the Delaware and Raritan Canal.

Which petitions were read, and ordered to lie on the table.

Mr. Jeffers, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to dissolve the marriage contract of Mary Taylor and William Taylor.

Which bill was read, and ordered a second reading.

Mr. Jeffers, from the committee on that subject,

Reported a bill, entitled A supplement to the act entitled An act establishing a militia system.

Which bill was read, ordered a second reading, and ordered to be printed.

Mr. Hopping, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to authorize the owners of a tract of salt meadow, in the township of Middletown, in the county of Monmouth, to enclose, drain, and to regulate the pasturing of the same.

Which bill was read, and ordered a second reading.

Mr. Christie, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act authorizing the owners and possessors of land, lying on Belcher's creek, to drain the same.

Which bill was read, and ordered a second reading.

The bill, entitled An act authorizing Frederick C. Van Liew, to sell and convey real estate,

Was read a second time, with the accompanying documents, the title amended so as to read, An act authorizing the sale of the real estate of Cornelius Van Liew, deceased,

The bill was then gone through with by section, and ordered to be engrossed.

Mr. Dodd, from the committee to whom was re-committed the bill, entitled A further supplement to the act entitled An act to incorporate the Mechanics' Insurance Company, in the county of Essex,

Reported the same, without amendment.

Which report was agreed to, and the bill ordered to lie on the table.

The bill, entitled A supplement to the act entitled An act more effectually, to provide for the removal of all obstructions to the free course of the waters in the river Passaic and its branches, between Cook's bridge and the reef at the Little Falls, next below the turnpike bridge, commonly called Sinjack bridge,

Was read a second time, gone through with by section, and postponed.

The House resumed the consideration of the bill, entitled An act for the safety of passengers in steam boats and stages.

Which was progressed in by section, and postponed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have agreed to the amendments made by the House of Assembly, to the bill from the Council, entitled An act to incorporate the Passaic and Hackensack Ferry and Road Company,

And have carried the said bill, to be re-engrossed.

Mr. Parker, with leave, presented a bill, entitled An act for the relief of Aaron Hassert

Which bill was read, and ordered a second reading.
The House adjourned to ten o'clock to-morrow morning.



TUESDAY, January, 22, 1828.

Ten o'clock the House met.

Mr. Foster presented the memorial of the New Jersey Delaware Oyster Company, praying, for reasons set forth therein, the relinquishment of their charter, and the restoration to them of the bonus paid therefor to the State.

Which memorial was read, and referred to Messrs. Foster, Parker, and Halsted.

Mr. Parker, of Middlesex, Mr. Vroom, of Somerset, Mr. Mott, of Burlington, and Mr. Wall, of Hunterdon, severally presented petitions from inhabitants of their respective counties, in favor of the Delaware and Raritan Canal.

Which petitions were ordered to lie on the table.

Mr. Christie, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to regulate and widen the draws in the bridges over the Hackensack river.

Which bill was read, and ordered a second reading.

Mr. Parker, from the committee to whom was referred the bill, entitled An act directing the time and mode of electing Representatives in Congress, and Electors of President and Vice-President of the United States, on the part of this State, in districts; and also, a resolution instructing them specially concerning the same,

Reported the said bill, without amendment, and also a substitute therefor, entitled An act to regulate the election of Representatives in the Congress of the United States, on the part of this State.

Which latter bill was read, ordered a second reading, and to be printed, and the original bill ordered to lie on the table.

Mr. Christie, from the committee to whom was re-committed the engrossed bill, entitled An act to authorize Robert Thompson to construct a canal through his land, in the township of Bergen, from Newark bay to New York bay,

Reported the same, with amendment.

Which amendment was read, and agreed to, and the bill ordered to lie on the table.

Mr. Halsted, from the committee to whom was referred the memorial of Francis Stanton, Peter Kean, and Looe Baker, in behalf of the managers of the Delaware and Raritan Canal Company, acting as trustees of the said corporation, and of the stockholders,

praying the re-payment of the sum of ten thousand dollars, being the residue of the bonus of one hundred thousand dollars, paid by said Company to Charles Parker, esq. Treasurer of New Jersey; ninety thousand dollars of said bonus having been returned to said Company, by virtue of an act of the Legislature, passed December 27, 1826,

Reported, That upon application of the said Company, made at the session of 1826, for the re-payment of the said bonus, a joint committee of Council and Assembly, to whom the subject was referred, reported in favor of the application, upon reasons stated in said report, and which, to your committee, appear well founded. To which report, (to be found in the minutes of 1826, page 112) the House are respectfully referred: The said report was, however, not agreed to by this House.

That, subsequently, on the 27th of December, 1826, a bill was passed by this House, entitled An act respecting the Delaware and Raritan Canal Company, authorizing and directing the Governor to receive from the Company a surrender of their charter, and thereupon to issue a certificate thereof to the Treasurer, who, on receiving the same, was required to pay to the said Company, the said sum of \$ 100,000, with the interest, if any, that had accrued thereon. This act was the same day passed by Council, being first so amended, as to read \$ 90,000, instead of \$ 100,000; and being returned to the House, the amendment was concurred in, and the bill finally passed.

That said Company surrendered their charter to the State, according to the provisions of the last mentioned act, and received from the Treasurer, the said sum of \$ 90,000, with the interest that had accrued thereon. The remaining ten thousand dollars are still in the hands of the Treasurer, invested in stock; and the memorialists claim it as the property of the Company, and pray that it may be restored to them.

The committee are of opinion, that this claim is well founded.— It is obvious, that if the charter alone is to be consulted, no doubt can exist on the subject. That instrument considers the \$ 100,000 as one intregal sum, all and every part of it, depending on the same condition. By the terms of the charter, *all*, or *none* of it, was to become payable to the State. This was, no doubt, the ground on which this House proceeded, at its last session, in passing the bill for the return of the entire sum. The amendment of Council was made, as the committee understand, on the ground, that while the act incorporating the Company was before Council, and previously to its passage, some arrangement was made, between one of the applicants for the charter, and a member or members of Council, that \$ 10,000 of the bonus should become the property of the State, absolutely, whether the assent of Pennsylvania should be obtained or not. But the committee apprehend, that the silence of the charter, as to any such arrangement, is full evidence that the Council, as a body, did not act upon it in granting the charter.

In the opinion of the committee, the charter is the only evidence of the contract between the State and the Company, that can, with propriety, be acted upon. The stockholders, when they subscribed for stock in the said Company, subscribed themselves to no other liabilities than the charter imposed ; and the state, in granting the charter, acquired no other right, than such as were secured to them by the terms of that instrument. Inasmuch, therefore, as by the charter, the whole sum is made subject to one law, the committee are of opinion, that the same principle, on which the Legislature proceeded in returning \$ 90,000 of the bonus, demands also the return of the residue ; and would respectfully submit the following bill, for that purpose.

Which bill, entitled An act for the relief of the stockholders of the late Delaware and Raritan Canal Company,

Was read, and ordered a second reading.

The bill, entitled An act to dissolve the marriage contract of Mary Taylor and William Taylor,

Was read a second time, with the accompanying documents, considered by section, and ordered to be engrossed.

On motion of Mr. Carson, the bill, entitled An act to provide for the improvement of the internal navigation of the State,

Was referred to the committee of the whole, and made the order of the day for to-morrow.

The bill, entitled An act to incorporate the Somerville Mining Company,

Was read a second time, and postponed.

The bill, entitled An act for the relief of the State Bank, at Trenton,

Was read a second time, progressed in by section, and postponed.

Mr. Parker submitted the following resolution :

Resolved, That Charles Parker be authorized to put a grate, for burning coal, in the committee room, opposite the library, and to furnish said room, so as to render it more convenient for the purposes intended, and that the expense be provided for in the incidental bill.

Which resolution was read, and agreed to.

The engrossed bill, entitled An act authorising the sale of the real estate of Cornelius Van Liew, deceased,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to divorce Hannah Robinson from her husband, John Robinson,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Bee,
Capner,
Carson,
Clifford,
Coles,
Day,
Earl,
Emly,
Ewing, (Speaker.)
Farlee,
Foster,
Freas,
Hopping,
Jeffers,

Messrs. Kirkpatrick,
Marsh,
Mickle,
Mills,
Mott,
Seeley,
Sinnickson,
Snowhill,
Terhune,
Thompson,
Townsend,
Toy,
Van Riper,
West—28.

NAYS.

Messrs. Chandler,
Green,

Messrs. Halsted,
Robbins,

Stryker—5.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, and inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon



Three o'clock the House met.

Mr. Mott presented a petition from the executors of the estate of Jacob Raum, of Burlington county, deceased, praying for a law to enable commissioners to execute deeds of conveyance for real estate, and otherwise to carry into effect the will of said deceased.

Which petition was read, and committed to Messrs. Mott, Dodd, and Kirkpatrick.

Mr. Christie presented a petition from the officers of the Bergen Squadron, praying to be supplied with arms by the State.

Which petition was read, and referred to the committee to whom was committed the report of the Quarter Master General.

Mr. Seeley presented the remonstrance of John Ogden, Joshua Brick, and others, stockholders of the New Jersey Delaware Oyster Company, against the payment, to the directors of said Company, of the amount of the bonus paid to the State, and praying that it

may be paid to them, individually, or placed in the hands of some person, for their use.

Which remonstrance was read, and referred to the committee on that subject.

Mr. Mott, from the committee to whom the subject was referred, agreeably to leave, obtained at the last sitting,

Reported a bill, entitled An act to authorize the Board of Chosen Freeholders, of the county of Burlington, to remove and close the draw in the bridge over Crosricks creek, in said county.

Which bill was read, ordered a second reading, and to be printed.

The bill, entitled A further supplement to the act entitled an act to incorporate the Mechanics' Insurance Company, in the county of Essex,

Was read a second time, progressed in, and postponed.

On motion of Mr. Woodhull, the engrossed bill, entitled An act to dissolve the marriage contract between Stephen Hays, and Phebe his wife, together with the accompanying documents, was called up, and committed to Messrs. Woodhull, Dodd, and Munson.

The bill, entitled A supplement to the act entitled An act to incorporate the Paterson Fire Association, passed November 3d, 1821,

Was read a second time, gone through by section, and ordered to be engrossed.

The bill, entitled An act to enable Garrabrant Van Riper, his heirs or assigns, to erect a mill dam across the river Passaic,

Was read a second time, and postponed.

The House adjourned to ten o'clock to-morrow morning.



WEDNESDAY, January 23, 1828.

Ten o'clock the House met.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill, from the House of Assembly, entitled An act to regulate the pasturing of a tract of salt marsh, in the township of Fairfield, in the county of Cumberland; the bill from the House, entitled an act to repeal an act entitled An act to enable the chosen freeholders of the county of Gloucester, to build a bridge over Mantua creek, at a place called Crown Point; and the bill from the House, entitled A supplement to the act entitled An act for facilitating the communication from

Morristown, in the county of Morris, through Dover, Mount Pleasant, and from thence to Sparta, in the county of Sussex,

Respectively, without amendment.

Mr. Kirkpatrick presented the petition of Charity O. Miller, of Morris county, praying to be divorced from her husband, Caleb C. Miller.

Which petition was read, and committed to Messrs. Kirkpatrick, Sinnickson, and Foster.

Mr. Dodd presented a petition from a number of the inhabitants of Essex and Bergen counties, praying that John S. Van Winkle, and Brant Van Blarcom, owners of water power on the Passaic, in Saddle river township, Bergen county, may be permitted to raise their dam, or erect a new one across said stream.

Which petition was read, and committed to Messrs. Dodd, Parker, and Mickle.

Mr. Foster presented a petition from a number of the inhabitants of Galloway township, Gloucester county, praying a law to authorize the erection of a bridge over Nacott creek, in said county.

Which petition was read, and committed to Messrs. Porter, Woodhull, and Townsend.

Mr. Stryker, and Mr. Green, of Somerset, and Mr. Mott, of Burlington, severally presented petitions from inhabitants of their respective counties, in favor of the construction by the State, of the Delaware and Raritan Canal.

Which were ordered to lie on the table.

Mr. Clifford, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to authorize George Opdycke, administrator with the will annexed, of Moses Warford, deceased, to sell and convey the real estate of said deceased.

Which bill was read, and ordered a second reading.

The House then resolved itself into a committee of the whole,

Mr. Woodhull in the chair, on the bill, entitled An act to provide for the improvement of the internal navigation of the State.

Which bill was read a second time, and after having the same under consideration, the committee rose, reported progress, and obtained leave to sit again.

The House then adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Wall presented the petition of a number of the inhabitants of the county of Hunterdon, praying the State to make the Delaware and Raritan Canal.

Which petition was read, and ordered to lie on the table.

Mr. Seeley presented the petition of the owners of certain meadow lands, included and lying within the bounds of the Cumberland and Cape May Meadow Company, incorporated by an act entitled An act authorizing the banking and improving of certain meadows and swamps in the counties of Cumberland and Cape May, praying the repeal of said act.

Which petition was read, and committed to Messrs. Seeley, Townsend, and West.

The House then resolved itself into a committee of the whole, on the bill, entitled An act to provide for the improvement of the internal navigation of the State ; and, after having the same, for some time, under consideration, the committee rose, reported progress, and obtained leave to sit again.

The House adjourned to 10 o'clock to-morrow morning.



THURSDAY, January 24, 1828.

Ten o'clock the House met.

Mr. Clifford, of Hunterdon, and Mr. Robbins, of Warren, severally presented remonstrances from inhabitants of their respective counties against the Delaware and Raritan Canal.

Which remonstrances were ordered to lie on the table.

Messrs. Robbins, of Warren, Mott, of Burlington, Wall, of Hunterdon, and Vroom, of Somerset, severally presented petitions from inhabitants of their respective counties, in favor of the State constructing the Delaware and Raritan Canal.

Which petitions were ordered to lie on the table.

Mr. Mickle, of Gloucester, and Mr. Toy, of Burlington, severally presented petitions from inhabitants of their respective counties, praying a law to authorize the construction of a rail road from Camden, on the Delaware, to the bay of Amboy.

Which petitions were ordered to lie on the table.

Mr. Mills presented a petition from the owners of land in the Great Swamp, and its vicinity, in the county of Morris, praying the passage of a supplement to the act authorising the owners to ditch and drain the same.

Which petition was read, and committed to Messrs. Mills, Lloyd, and Munson.

Mr. Halsted presented the petition of the President, Directors and Company of the State Bank at Elizabethtown, praying a renewal of its charter.

Which petition was read, and committed to Messrs. Halsted, Green, and Toy.

Mr. Bee presented the petition of the Board of Chosen Freeholders of the county of Gloucester, praying a law to prevent the passage of horses, carriages, &c. over the Great Timber Creek Truss Bridge, at a faster gait than a walk.

Which petition was read, and committed to Messrs. Bee, Freas, and Seeley.

Mr. Mickle presented the petition of the President and Cashier, on behalf of the Directors and Company of the State Bank at Camden, praying a renewal of their charter.

Which petition was read, and committed to Messrs. Mickle, Marsh, and Stryker.

Mr. Woodhull, from the committee to whom was referred the engrossed bill, entitled An act to dissolve the marriage contract between Stephen Hay and Phebe, his wife, together with the documents accompanying the same,

Reported said bill, without amendment.

Which bill was ordered to lie on the table.

The House then resolved itself into a committee of the whole, on the bill, entitled An act to provide for the improvement of the internal navigation of the State, and, after spending some time in the consideration of the same, the committee rose, reported progress, and obtained leave to sit again.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Clifford, and Mr. Farlee, of Hunterdon, and Mr. Armstrong, of Warren, severally presented petitions from inhabitants of their respective counties, in favor of the Delaware and Raritan Canal.

Which petitions were ordered to lie on the table.

Mr. Earl presented a petition from a number of the inhabitants of this State, praying the passage of a law to make a rail road from Camden to the bay of Amboy.

Which petition was ordered to lie on the table.

Mr. Farlee presented the petition of John S. Stires, and John Thompson, administrators with the will annexed, of Michael Cole, late of Readington, in the county of Hunterdon, deceased, praying for the passage of a law to authorize them to sell and make title for the real estate of said deceased.

Which petition was read, and committed to Messrs. Farlee, Green, and Jeffers.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the following bills, from the House of Assembly, viz:

The bill, entitled An act to incorporate the Hackensack and Fort Lee Turnpike Company, in the county of Bergen.

The bill entitled, An act authorizing the sale of the real estate of Cornelius Van Liew, deceased;

And the bill, entitled An act to divorce Hannah Robinson from her husband, John Robinson, respectively,

Without amendment.

And that the Council have passed a bill, entitled An act to incorporate the Farmers and Mechanics' Bank of Rahway;

A bill, entitled An act to divorce Elizabeth Voorhies, from her husband Lucas L. Voorhies;

And a bill, entitled An act to divorce Sarah Gorham, from her husband Eliazer Gorham.

To which bills, respectively, they request the concurrence of the House of Assembly.

Which bills were severally read, and ordered second readings.

The bill, entitled An act to enable the owners and possessors of marsh, swamps and cripple, lying on the west branch of the creek, in the township of Lower Alloways creek, in the county of Salem, to erect a bank, dam, and other water works, and more effectually to drain and improve the same,

Was read a second time, progressed in by section, and postponed.

Mr. Foster, from the committee to whom was referred the petition of the New Jersey Delaware Oyster Company, for the relinquishment of its charter, and the remonstrance against the same,

Reported a bill, entitled An act for the relief of the New Jersey Delaware Oyster Company.

Which bill was read, and ordered a second reading.

Mr. Halsted, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to extend the act incorporating the State Bank at, Elizabeth.

Which bill was read, and ordered a second reading.

The engrossed bill, entitled A supplement to the act entitled An act to incorporate the Paterson Fire Association, passed the 3d of November, 1821,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to authorize the Morris Canal and Banking Company, to extend the Morris Canal to the waters of the Hudson,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,

Bee,

Capner,

Carson,

Chandler,

Clifford,

Coles,

Day,

Dodd,

Earl,

Ewing, (Speaker.)

Farlee,

Foster,

Green,

Hopping,

Kirkpatrick,

Lloyd,

Messrs. Marsh,

Mickle,

Mills,

Mott,

Munson,

Parker,

Porter,

Robbins,

Seeley,

Sinnickson,

Snowhill,

Stryker,

Thompson,

Toy,

Vroom,

West,

Woodhull—34.

NAYS.

Messrs. Christie,

Freas,

Halsted,

Messrs. Terhune,

Townsend,

Van Riper—6.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

On motion of Mr. Parker, the consideration of the bill, entitled An act to provide for the improvement of the internal navigation of the State,

Was postponed to, and made the order of the day for, Tuesday next.

The House adjourned to ten o'clock to-morrow morning.



FRIDAY, January 25, 1828.

Ten o'clock the House met.

Mr. Clifford, of Hunterdon, and Mr. Vroom, of Somerset, severally presented petitions from inhabitants of their respective counties, in favor of the Delaware and Raritan Canal.

Which petitions were ordered to lie on the table.

Mr. Clifford presented petitions from inhabitants of Hunterdon:

against the passage of the law, supplementary to the act incorporating the New Jersey Turnpike Company.

Which were ordered to lie on the table.

Mr. Earl, of Burlington, and Mr. Porter, of Gloucester, severally presented petitions from inhabitants of this State, praying a law to authorize a rail road from Camden to the bay of Amboy.

Which petitions were ordered to lie on the table.

Mr. Vroom presented a petition from a number of the inhabitants of the State, praying the enactment of measures, to lessen or prevent the evil of intemperance.

Which petition was referred to the committee on that subject.

Mr. Jeffers presented the petition of Henry Freas, in behalf of the officers of the Salem rifle company, praying a supply of arms from the State Arsenal.

Which petition was read, and referred to the committee to whom was committed the Report of the Quarter Master General.

Mr. Earl presented the petition of Beulah Talman, and Priscilla Hollingshead, two of the children of William Hollingshead, late of the county of Burlington, deceased, praying the appointment of a trustee to sell the real estate of said deceased.

Which petition was read, and committed to Messrs. Earl, Vroom, and Van Riper.

Mr. Seeley, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to remunerate Robert S. Buck, Sheriff of Cumberland county, for certain services and expenses therein named.

Which bill was read, and ordered a second reading.

Mr. Halsted, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act for the improvement of the navigation of the Elizabethtown creek.

Which bill was read, and ordered a second reading.

Mr. Mott, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act authorizing the commissioners therein named, to convey certain real estate to Wollaston Redman, in trust, for the heirs of Jacob Raum, esq. deceased.

Which bill was read, and ordered a second reading.

Mr. Porter, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled an act to authorize the chosen freeholders of the county of Gloucester, to build a draw bridge over Nacott creek, at a place called Port Republic.

Which bill was read, ordered a second reading, and to be printed.

Mr. Mickle, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to extend the act incorporating the State Bank, at Camden,

Which bill was read, and ordered a second reading.

Mr. Dodd, with leave, presented a bill, entitled An act supplementary to the act entitled An act constituting courts for the trial of small causes.

Which bill, on motion, was committed to Messrs. Dodd, Green, and Earl.

And on motion, the bill, entitled A further supplement to an act entitled An act constituting courts for the trial of small causes, was referred to the same committee.

The bill, entitled A further supplement to the act entitled An act to incorporate the Mechanics' Insurance Company, in the county of Essex,

Was called up, and committed to Messrs. Green, Dodd, and Woodhull.

The bill, entitled An act to incorporate the Camden and Amboy Rail Road Company,

Was read a second time, progressed by section, and postponed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Mott presented the petition of the owners and proprietors of certain marsh and meadow ground, in the county of Burlington, exposed to the overflowing of the tides, praying a law to authorize them to improve the same.

Which petition was read, and committed to Messrs. Mott, Green, and Hopping.

Mr. Robbins, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to assist the inhabitants of the townships of Pahaquarry and Knowlton, in the county of Warren, to complete that part of a public highway lately laid out in said townships, which crosses the Blue Mountain, at the Water Gap.

Which bill was read, ordered a second reading, and to be printed.

Mr. Green, from the committee to whom was referred the bill, entitled A further supplement to the act entitled An act to incorporate the Mechanics' Insurance Company, in the county of Essex,

Reported the same without amendment.

Which was ordered to lie on the table, and also as a substitute,

A bill, entitled An act to repeal certain acts therein mentioned.

Which bill was read, and ordered a second reading.

Mr. Christie, from the committee appointed to enquire the value of the lands at Paterson, belonging to this State, and the expediency of selling part thereof, and to report such information therein as may be for the interest of the State,

Reported, That they proceeded to Paterson, in November last, and viewed the said lands, which are as follows :

Lot No. 1. This lot lies on the lower road on Hackensack turnpike, about one half a mile from the buildings eastward of Main street, in the town of Paterson. It contained originally 40 18-100 acres, of which three acres have been conveyed to the congregation of the Presbyterian church, as a burial ground—there remains 37 18-100 acres. The front on the turnpike is 20 chains, or 1320 feet, and would probably sell to advantage for building lots. The lot is not enclosed.

The Episcopal church, at Paterson, want a lot for a burial place, which may be laid out in the rear, without disadvantage. The value of this lot is very differently estimated by different persons.

Lot No. 2, contains 40 90-100 acres, on the old York road, the nearest part about one mile from the head of Main street. This lot is under lease to the Presbyterian church, which does not expire until the first of May, 1836. Thus situated, its value is not easily ascertained, and cannot be sold at this time.

Lot No. 3, contains 20 3-100 acres, and lies on the upper road to Hackensack, called Broadway, about 50 chains east of the market, and not far from buildings. The front, in Broadway, is about 750 feet, which may probably be sold in building lots. Division street, running from Main street, parallel to Broadway, would, if extended, run advantageously through this lot, and afford nearly 2000 feet of building lots, both sides included. It would, in the opinion of the committee, be proper to sell the front, in Broadway, or part of it, in lots, leaving that part which would lie, on the extension of Division street, for future disposal.

Lots No. 4 & 5, adjoin each other, and lie on the west side of the Boght road, which crosses Broadway about seventy chains from the market, and runs to the river, near Simeon Van Wickle's.

No. 4, contains	43 16-100
No. 5,	26 81-100

Equal to	69 97
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A part of these lots is in wood ; the remainder under cultivation, and pastured.

The westerly parts approach almost as near the town as lot No. 3, but do not touch any street or road. James Vanblarcom now owns the land on the north of the No. 4, and is desirous of opening a road along the line of it, from the Boght road westerly to the river, which, it is believed, would be an advantage to the State. It is not advisable to sell these lots at present.

Lot No. 7, on the east side of the Boght road, opposite to No. 5, contains 27 25-100 acres—the front low flat land, with scattered

wood, and well adapted for meadow land—some very good wood land in the rear. This lot has never been tilled, and it is believed would sell advantageously.

Lot No. 6, contains 103 20-100 acres, adjoins Passaic river above and near the bend; the upper corner is almost three quarters of a mile below the foot of Main street, and the lot extends above twenty chains along the river, in a straight line. There is a fall, above and near the upper corner, of about three and a half feet. The river below has little fall. There is no road to this land, except a private way, along the river. A turnpike road, from New Prospect to Paterson, is laid out, as far as the northerly side of Passaic river, and ends opposite lands of Simeon Van Wickle. This road, if it crosses the river, as is intended, will run through the State land, and, it is believed, would enhance its value very much. An act has been passed, heretofore, to authorize the laying of the road contemplated, but it has not yet been laid, and some care is necessary to have it properly located. It will be necessary to build a bridge over the river, towards which the State is expected to contribute; and the committee think it for the interest of the State to do so.—This lot contains from six to ten acres of very good and thrifty wood land. It ought not to be sold until a road is laid through it.

It is very difficult to ascertain the precise value of the lands in question—no land adjoining them has lately been sold, and the opinions of persons consulted, vary so much, as to the present and future value, that it is not easy to fix a price. The sale of part of No. 1 and No. 3, would, no doubt, tend to enhance the value of the remainder of those lots; and the lot No. 7, being only fit for improvement as meadow, will not probably increase much in value, in the hands of the State, as the wood is not improving. The whole of the lands, the committee believe to be worth, at least double the same allowed for them in 1816.

The town of Paterson is increasing fast in population, and the manufactories, of various kinds, are flourishing. It contained in 1824, 4787 inhabitants—in 1825, 5081—in 1827, 6236.

Building lots, in the town, and within the range of buildings, and which are generally twenty feet by one hundred feet, are sold at prices from 350 to 1400 dollars, but a short distance decreases their value. The State lands, generally, require repairs to the fences, and an appropriation of the rent to that purpose, will probably be required.

The map exhibited in 1816, could not be found, and the committee thought it advisable to procure a new one, in which all the lots are laid down, as they are situated in regard to the town of Paterson, (except No. 2, which may be added hereafter.) This map is herewith submitted, together with a bill containing such provisions as they think it advisable for the Legislature to adopt.

By order of the committee,

DAVID J. CHRISTIE, *Chairman.*

Which report was read, and laid on the table.

The committee, in conformity with their report, also
Reported a bill, entitled An act relating to the lands at Paterson, belonging to this State.

Which bill was read, ordered a second reading, and to be printed.

On motion, the statements of the situation of the affairs of the Monmouth Bank, and the triennial report of the situation of the affairs of the Washington Banking Company, at Hackensack,

Were called up, and committed to Messrs. Mott, Vroom, and Hopping.

The House resumed the consideration of the bill, entitled An act to incorporate the Camden and Amboy Rail Road Company.

Which was further progressed in by section, and postponed.

The bill, entitled An act to extend the act incorporating the State Bank, at Newark,

Was read a second time.

Whereupon, on motion, the said bill, together with that to extend the act incorporating the State Bank, at Elizabeth—that to extend the act incorporating the State Bank, at Camden—that to extend the time of the charter of the State Bank, at Morris, and the petition for the renewal of the charter of the State Bank, at New Brunswick, were committed to Messrs. Woodhull, Parker, Green, Dodd, and Seeley, with instructions to the committee to report separately on each bill and application.

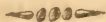
Ordered, That the special committee appointed on the petition of the State Bank, at New Brunswick, be discharged from the further consideration of the subject.

Mr. Toy submitted the following resolution :

Resolved, That _____ be, and they are hereby appointed commissioners, to enquire into the situation and value of the oyster beds, within the bounds of the county of Cumberland, and make report to the Legislature, with all convenient speed ; and that the expenses of such investigation be provided for, in the incidental bill.

Which resolution was read, and ordered to lie on the table.

The House adjourned to ten o'clock to-morrow morning.



SATURDAY, January 26, 1828

Ten o'clock the House met

Mr. Robbins of Warren, and Mr. Farlee, of Hunterdon, several
 ly presented remonstrances from inhabitants of their respective

counties, against the passage of a bill for constructing the Delaware and Raritan Canal ; and

Mr. Green, of Somerset, a petition in favor of the same.

Which petition and remonstrances, were ordered to lie on the table.

Mr. Dodd presented a petition from David A. Ogden, in behalf of himself and his sisters, Eliza Ogden, and Gertrude S. Ogden, of Newark, in the county of Essex, praying that the right of the State, to that remaining portion of the real estate of his grand father, David Ogden, and his father, Nicholas Ogden, which was confiscated during the revolutionary war, may be relinquished to them, the said heirs.

Which petition was read, and committed to Messrs. Dodd, Carson, and Marsh.

Mr. Mills, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled A supplement to the act, to enable the owners of swamp or meadow ground to drain the same, and to repeal a law heretofore made for that purpose, passed the 24th day of November, A. D. 1792.

Which bill was read, and ordered a second reading.

Mr. Christie, from the committee to whom was re-committed the engrossed bill, entitled An act to authorize Robert Thompson, to construct a canal through his land, in the township of Bergen, from Newark bay to New York bay,

Reported said bill, with amendments.

Which amendments were read and agreed to, and the bill as amended, ordered to be re-engrossed.

The bill from Council, entitled An act to dissolve the marriage contract between Stephen Hays, and Phebe, his wife,

Was read a second time, considered by section, and ordered a third reading.

The bill, entitled An act to incorporate the Mechanics' Bank of Orange,

Was read a second time, and postponed.

The bill, entitled An act to authorize Phineas S. Bunting, administration *de bonis non* of Frederiek Brooks, deceased, to execute deeds of conveyance, for lands sold by a former administrator,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled A supplement to an act entitled An act to establish a new township in the county of Bergen, to be called the township of Lodi,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled An act to remunerate Robert S. Buck, Sheriff of Cumberland county, for certain services and expenses therein named.

Was read a second time, considered by section, and ordered to be engrossed.

The House adjourned to ten o'clock on Monday morning.



MONDAY, January, 28, 1828.

Ten o'clock the House met.

Mr. Robbins presented remonstrances from inhabitants of Warren county, against the Delaware and Raritan Canal ; and

Mr. Wall, and Mr. Capner, petitions from inhabitants of Hunterdon, in favor of the same.

Which were ordered to lie on the table.

The bill, entitled An act to authorize the board of chosen freeholders of the county of Burlington, to remove and close the draw in the bridge over Crosswicks creek, in said county,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled An act to authorize the owners of a tract of salt meadow, in the township of Middletown, in the county of Monmouth, to enclose, drain, and regulate the pasturing of the same,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled An act to authorize George Opdycke, administrator with the will annexed, of Moses Warford, deceased, to sell and convey the real estate of the said deceased,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled An act to enable Garrabrant Van Riper, his heirs or assigns, to erect a mill dam across the river Passaic,

Was read a second time ;

Whereupon, Mr. Christie presented sundry affidavits relative thereto, and a map of the site of said dam, and the parts adjacent.

The bill was then gone through with by section, and ordered to be engrossed.

The House resumed the consideration of the bill, entitled An act for the safety of passengers, in steam boats and stages.

Which was progressed in further, by section, and postponed.

The engrossed bill, entitled An act to remunerate Robert S. Buck, Sheriff of Cumberland county, for certain services and expences therein named,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to authorize Phineas S. Bunting, administrator *de bonis non* of Frederick Brooks, deceased, to execute deeds of conveyance for lands, sold by a former administrator,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, and inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon

Three o'clock the House met.

Mr. Porter presented a petition from inhabitants of Gloucester county, in favor of the Delaware and Raritan Canal.

Which was ordered to lie on the table.

Mr. Earl presented a petition from inhabitants of Burlington county, in favor of the rail road from Camden to the bay of Amboy.

Which was ordered to lie on the table.

Mr. Mott, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to enable the owners of certain meadows, in the township of Nottingham, and county of Burlington, to improve the same.

Which bill was read, and ordered a second reading.

Mr. Seeley, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to repeal an act therein named.

Which bill was read, and ordered a second reading.

Mr. Kirkpatrick, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to dissolve the marriage contract between Charity O. Miller, and Caleb C. Miller.

Which bill was read, and ordered a second reading.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled An act to authorize the Morris Canal and Banking Company, to extend the Morris Canal to the waters of the Hudson; and

The bill, entitled An act to divorce Rhoda H. Tuttle, from her husband, Jabez Tuttle,

Respectively, without amendment.

And the message informed, that the Council have passed a bill, entitled An act to incorporate the Columbian Steam Boat Company, To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading.

The engrossed bill, entitled A supplement to an act entitled an act to establish a new township in the county of Bergen, to be called the township of Lodi,

Was read a third time, and compared.

On the question, shall the bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Bee,
Capner,
Christie,
Clifford,
Coles,
Earl,
Emly,
Ewing, (Speaker.)
Farlee,
Foster,
Freas,
Green,
Halsted,
Hopping,
Jeffers,
Kirkpatrick,
Lloyd,
Marsh,

Messrs. Mickle,
Mills,
Mott,
Munson,
Parker,
Porter,
Robbins,
Seeley,
Sinnickson,
Snowhill,
Stryker,
Terhune,
Thompson,
Townsend,
Van Riper,
Wall,
West,
Woodhull—36.

NAYS.

Messrs. Armstrong,
Chandler,

Messrs. Day,
Dodd—4.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to authorize Robert Thompson, to construct a canal through his land, in the township of Bergen, from Newark bay to New York bay,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Bee,
Carson,
Chandler,
Christie,
Clifford,
Coles,
Day.

Messrs. Earl,
Emly,
Ewing, (Speaker.)
Farlee,
Foster,
Freas,
Green.

Messrs. Halsted,
Hopping,
Jeffers,
Mickle,
Mills,
Mott,
Porter,
Seeley,

Messrs. Sinnickson,
Snowhill,
Stryker,
Terhune,
Thompson,
Townsend,
Van Riper,
Wall,

West—31.

NAYS.

Messrs. Capner,
Kirkpatrick,
Lloyd,
Marsh,

Messrs. Munson,
Parker,
Robbins,
Woodhull—8.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The bill from Council, entitled An act to dissolve the marriage contract between Stephen Hays, and Phebe his wife,

Was read a third time.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Chandler,
Christie,
Clifford,
Coles,
Day,
Dodd,
Earl,
Emly,
Freas,
Hopping,

Messrs. Jeffers,
Lloyd,
Mickle,
Mills,
Mott,
Munson,
Terhune,
Thompson,
Van Riper,
Wall,
West—22.

NAYS,

Messrs. Bee,
Capner,
Ewing, (Speaker.)
Farlee,
Foster,
Green,
Halsted,
Kirkpatrick,
Marsh,

Messrs. Parker,
Porter,
Robbins,
Seeley,
Sinnickson,
Snowhill.
Stryker,
Townsend,
Woodhull—18.

Ordered, That the Speaker sign the the same.

Ordered, That the Clerk inform Council, that the House have passed said bill,

Without amendment.

The House adjourned to ten o'clock to-morrow morning.



TUESDAY, January 29, 1828.

Ten o'clock the House met.

Mr. Christie presented the petition of Andrew P. Hopper, and others, of the township of Saddle river, in the county of Bergen, praying for a law to authorize them to enclose a piece of woodland, lying in said township.

Which petition was read, and committed to Messrs. Christie, Clifford, and Mott.

Mr. Porter presented the memorial of the inhabitants of the town of Woodbury and vicinity, in Gloucester county, praying the passage of a law to authorize the removal of a dam, and other obstructions, from the bed of the Woodbury creek; and that the navigation of said creek may be opened and made free.

Which memorial was read, and committed to Messrs. Porter, Jeffers, and Foster.

Mr. Mickle presented the remonstrance of the Lower Meadow Company, on Woodbury creek, and petitioners from inhabitants of Gloucester county, against the passage of a bill for removing obstructions from said creek; and the repeal of the act granted the said meadow company.

Which remonstrance and petition were read, and referred to the above named committee.

Mr. Vroom, of Somerset, and Mr. Wall, of Hunterdon, severally presented petitions from inhabitants of their respective counties, in favor of the Delaware and Raritan Canal.

Which were ordered to lie on the table.

Mr. Dodd presented a petition from a number of the inhabitants of Essex county, praying no more bank charters be granted, or renewed, unless upon conditions, that will secure the public against the failure of these institutions.

Which petition was read, and referred to the committee to whom the bills and application for the renewal of the charter of the State Banks were referred.

Mr. Dodd presented a petition from a number of the inhabitants of Essex county, praying that for reasons set forth therein, the pre-

sent law, prohibiting the sale of ardent spirits, by merchants, by small measure, may be repealed.

Which petition was read, and referred to the committee to whom the petitions on the subject of intemperance, were referred.

Mr. Day presented the petition of Mary Hamilton, of Essex county, praying to be divorced from her husband, William Hamilton.

Which petition was read, and committed to Messrs. Day, Kirkpatrick, and Munson.

Mr. Dodd presented the petition of Robert Bogardus, I. L. Baldwin, and others, heirs and descendants of John Budd, and Sarah his wife, praying the passage of a law, appointing Silas Condit and James Vanderport, trustees, &c. in the place of William Pennington, deceased, to carry into effect certain trusts in relation to the estate of the said John Budd

Which petition was read, and committed to Messrs. Dodd, Earl, and Chandler.

The House then resolved itself into committee of the whole, Mr. Woodhull, in the chair, on the bill, entitled An act to provide for the improvement of the Internal Navigation of the State, and after spending some time in the consideration thereof, the committee rose, reported progress, and obtained leave to sit again.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

The House resolved itself into a committee of the whole, Mr. Woodhull, in the chair, on the bill, entitled An act to provide for the improvement of the Internal Navigation of the State, and after spending some time in the consideration thereof, the committee rose, reported progress, and obtained leave to sit again.

The House adjourned to ten o'clock to-morrow morning.

WEDNESDAY, January 30, 1828.

Ten o'clock the House met.

Mr. Wall presented a petition from a number of the inhabitants of Hunterdon county, in favor of the Delaware and Raritan Canal.

Which petition was ordered to lie on the table.

Mr. Vroom presented the memorial of the proprietors of the Union Line Company, remonstrating against the incorporation of the Columbian Steam Boat Company.

Which memorial was ordered to lie on the table.

Mr. Christie presented the petition of John H. Hopper, and other inhabitants of the county of Bergen, for a law to authorize them to enclose certain tracts of woodland, in Saddle River township, in said county.

Which petition was read, and referred to the committee to whom the petition of Andrew P. Hopper, and others, was referred.

Mr. Porter presented petitions from inhabitants of Gloucester county, praying that the bill for building a bridge over Nacott creek, in said county, may become a law;

Whereupon, on motion, the bill, entitled An act to authorize the chosen freeholders of the county of Gloucester, to build a draw-bridge over Nacott creek, at a place called Port Republic,

Was called up, and re-committed, and the above named petitions referred to the same committee.

Mr. Earl, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to authorize William Buzby, to sell and convey real estate of Jacob Hollingshead, late of the county of Burlington, deceased.

Which bill was read, and ordered a second reading.

Mr. Day, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to divorce Mary Hamilton from her husband, William Hamilton.

Which bill was read, and ordered a second reading.

Mr. Halsted, with leave, presented a bill, entitled An act to prevent frauds by incorporated companies, and for other purposes.

Which bill was read, and committed to Messrs. Halsted, Green, and Earl.

The engrossed bill, entitled An act to authorize the owners of a tract of salt meadow, in the township of Middletown, in the county of Monmouth, to enclose a drain, and regulate the pasturing of the same,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to authorize George Opdycke, administrator with the will annexed, of Moses Warford, deceased, to sell and convey the real estate of the said deceased,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to dissolve the marriage contract of Mary Taylor and William Taylor,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,

Bee,

Capner,

Carson,

Christie,

Clifford,

Coles,

Day,

Dodd,

Earl,

Emly,

Ewing, (Speaker.)

Farlee,

Foster,

Freas,

Halsted,

Hopping,

Messrs. Jeffers,

Kirkpatrick.

Lloyd,

Marsh,

Mickle,

Mills,

Mott,

Munson,

Porter,

Seeley,

Sinnickson,

Snowhill,

Terhune,

Thompson,

Toy,

Van Riper,

West—34.

NAYS

Messrs. Chandler,

Parker,

Robbins,

Messrs. Stryker,

Vroom,

Wall,

Woodhull—7.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House resolved itself into a committee of the whole, on the bill, entitled An act to provide for the improvement of the internal navigation of the State ; and, after spending some time in the consideration thereof, the committee rose, reported progress.

obtained leave to sit again, and the bill was made the order of the day for to-morrow morning.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Capner presented the petition of the administrators of the estate of Joseph P. Chamberlain, late of Hunterdon county, deceased, praying a law to confirm an agreement made by the said deceased, in his life time, with Cornelius L. Sutphen, for the conveyance of land.

Which petition was read, and committed to Messrs. Capner, Kirkpatrick, and Dodd.

Mr. Kirkpatrick presented a petition of the heirs of Elizabeth Dunham, late Elizabeth Horton, of the county of Morris, praying the payment to them of the arrear of pension money due the said Elizabeth Dunham.

Which petition was read, and committed to Messrs. Kirkpatrick, Halsted, and Chandler.

Mr. Green presented a remonstrance from certain inhabitants of New Brunswick, Kingston and Princeton, against the passage of the bill on the incorporation of the Columbian Steam Boat Company.

Which was ordered to lie on the table.

Mr. Emly presented a petition from inhabitants of Burlington county, in favor of a rail road from Camden to the bay of Amboy.

Which petition was ordered to lie on the table.

Mr. Christie presented the presentment of the Grand Jury of the county of Bergen, of the practice of grocers selling liquor by small measure, without license, and praying legislative aid in the premises.

Which presentment was read, and referred to the committee on the subject of intemperance.

Mr. Parker presented the abstract of rateables for the county of Middlesex.

Which was ordered to lie on the table.

Mr. Earl, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to repeal certain provisions in the act entitled An act to constitute and make Crosswicks creek a good and lawful fence, from the place known by the name of Watson's Ferry, down to the mouth of the same, passed June the 20th, 1765.

Which bill was read, and ordered a second reading.

The bill, entitled An act for the relief of the New Jersey Delaware Oyster Company,

Was read a second time, gone through with by section, and ordered to be engrossed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill, from the House of Assembly, entitled A supplement to the act entitled An act to incorporate the Paterson Fire Association, passed November 3, 1821 ;

And the bill, from the House of Assembly, entitled An act to authorize Phineas S. Bunting, administrator *de bonis non*, of Frederick Brooks, deceased, to execute deeds of conveyance for lands sold by a former administrator, respectively,

Without amendment.

The engrossed bill, entitled An act to enable Garrabrant Van Ripper, his heirs or assigns, to erect a mill dam across the river Passaic,

Was called up, and re-committed.

The bill, entitled An act to repeal certain acts therein named,

Was read a second time, and postponed.

The House resumed the consideration of the bill, entitled An act to incorporate the Mechanics' Bank of Orange.

Which was progressed in by section and postponed.

The House adjourned to ten o'clock to-morrow morning.



THURSDAY, January 31, 1828.

Ten o'clock the House met.

Mr. Day presented the petition of the stockholders of the Newark and Mount Pleasant Turnpike Company, and others, for the advancement of part of their said road.

Which petition was read, and committed to Messrs. Day, Mills, and Munson.

Mr. Bee presented the petition of the owners and possessors of meadow, on Woodbury creek, in Gloucester county, praying the repeal of the act of the eighth year of George the 3d, authorizing the daming and embanking said creek.

Which petition was referred to the committee on that subject.

The House resolved itself into a committee of the whole, Mr. Woodhull in the chair,

On the bill, entitled An act to provide for the improvement of the internal navigation of the state :

And after being for some time engaged in the consideration of the same, the committee rose, reported progress, and obtained leave to sit again.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

The Speaker laid before the House, the following report of the Attorney General :

To the Honorable the General Assembly of the State of New Jersey:

The Attorney General begs leave, respectfully, to

Report, That he has been furnished by the Clerk of the House of Assembly, with a copy of a resolution of the House, adopted on the 6th November, A. D. 1827, respecting the measures that may be necessary and proper to be taken, by the Legislature, to annul, repeal, or authorize to make void, the powers and privileges granted to the President, Directors, and Company of the Jersey Bank ; the Hoboken Banking and Grazing Company ; the Franklin Bank of New Jersey ;

And that, in relation to the Jersey Bank and Hoboken Banking and Grazing Company, he respectfully suggests to the Honorable the House of Assembly, that the objects contemplated by the said resolution, would be attained by a resolution of the Legislature directing process to be issued from and out of the Supreme Court of this State, against the said corporations, respectively, for the purpose of judicially investigating the legality of their proceedings, and, if good cause shall be found, of forfeiting their charter.

In relation to the Franklin Bank of New Jersey, it will be recollected, that by the fifteenth section of the act incorporating this institution, it is enacted, that it shall and may be lawful for the Legislature of this State, at any time hereafter, to alter, modify or repeal this act.

If there exist, on the part of this Company, good causes, in the judgment of the Legislature, to withdraw the privileges granted by their act of incorporation, the power to do so is by the foregoing section, reserved in the repeal of the act.

And, however, cases might arise, when the policy and expediency of exerting this high power, might be seriously discussed, yet, it is respectfully submitted, that its proper and judicious exercise is within the clear terms and spirit of the charter.

With respect to the Franklin Bank, therefore, the repeal of their act of incorporation, or the like proceedings as already recommend-

ed against the other corporations, may be adopted, as the Honorable the Legislature may deem most expedient.

Respectfully submitted.

THEO. FRELINGHUYSEN.

Newark, January 26, 1828.

Which report was read, and ordered to lie on the table.

Mr. Halsted, from the committee to whom was committed the bill, entitled An act to prevent frauds by incorporated companies, and for other purposes,

Reported the same without amendment.

Which bill was read, ordered a second reading, and to be printed.

Mr. Dodd, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act authorizing John S. Van Wickle, and Brant Van Blarcom, their heirs and assigns, to erect a dam across Passaic river.

Which bill was read, and ordered a second reading.

Mr. Christie, from the committee to whom was re-committed the engrossed bill, entitled An act to enable Garabrant Van Riper, his heirs or assigns, to erect a mill dam across the river Passaic,

Reported the said bill with amendment.

Which amendment was agreed to, and the bill, as amended, ordered to be again engrossed.

Mr. Chandler presented, with leave, a bill, entitled A further supplement to the act entitled An act to incorporate the Orange and Sussex Canal Company, passed the 10th day of December, 1823.

Which bill was read, and ordered a second reading.

The House resolved itself into a committee of the whole, Mr. Woodhull in the chair,

On the bill, entitled An act to provide for the improvement of the internal navigation of the State ;

When, after spending some time in the consideration thereof, the committee rose, reported progress, and obtained leave to sit again.

The House adjourned to ten o'clock to-morrow morning.



FRIDAY, February 1, 1828.

Ten o'clock the House met.

Mr. Thompson presented the petition of William B. Woodruff, and others, heirs and executors of Flavel Woodruff, late of Chat-

ham, Morris county, deceased, praying authority to sell the real estate of said deceased.

Which petition was read, and committed to Messrs. Thompson, Halsted, and Armstrong.

Mr. Mickle presented the petition of John B. Swett, and others, of Gloucester county, praying an act of incorporation for the purpose of manufacturing cotton and other goods.

Which petition was read, and committed to Messrs. Mickle, Wall, and Jeffers.

Messrs. Dodd, Halsted and Day, severally presented remonstrances from inhabitants of Essex county, against the erection of dams across the Passaic river.

Which remonstrances were ordered to lie on the table.

Mr. Wall, of Hunterdon, and Mr. Vroom, of Somerset, severally presented petitions from inhabitants of their respective counties, in favor of the Delaware and Raritan Canal.

Which petitions were ordered to lie on the table.

Mr. Farlee, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to authorize John S. Stires, and John Thompson, administrators with the will annexed, of Michael Cole, deceased, to sell and convey the real estate of said deceased.

Which bill was read, and ordered a second reading.

Mr. Capner, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled an act to authorize Ann Chamberlain, administratrix, and John Chamberlain and Elisha R. Johnson, administrators of Joseph P. Chamberlain, deceased, to fulfil and execute a contract made by the said Joseph P. Chamberlain, in his life time, with one Cornelius L. Sutphen, for the sale of a certain messuage or lot of land therein mentioned.

Which bill was read, and ordered a second reading.

Mr. Bee, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act relative to the navigation of Great Timber Creek, in the county of Gloucester.

Which bill was read, and ordered a second reading.

Mr. Christie, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to authorize the enclosing of a tract of woodland, situate in the township of Saddle River, in the county of Bergen.

Which bill was read, and ordered a second reading.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill, from the House of Assembly, entitled An act to remunerate Robert S. Buck, Sheriff of Cumberland county, for certain services and expenses, therein named, without amendment.

And that the Council have passed a bill, entitled An act to explain

an act entitled An act for the better regulating of the fishing in Newark bay, and in the Passaic and Hackensack rivers; passed December the 7th, 1825.

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading.

And the Secretary also laid before the House, for their inspection, by the direction of the Council, the report of the President and Cashier of the People's Bank of Paterson.

Which report was ordered to lie on the table.

The report of the Attorney General, relative to the right of the State to annul or repeal the charters of certain banks,

Was called up, and committed to Messrs. Parker, Green, and Woodhull.

The House then resolved itself into committee of the whole, Mr. Woodhull in the chair, on the bill, entitled An act to provide for the improvement of the internal navigation of the State, and after spending some time in the consideration thereof, an unsuccessful motion was made to strike out the first section; the committee then rose, reported progress, and obtained leave to sit again; and the bill was made the order of the day for Tuesday next.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

The Speaker laid before the House, the memorial of a number of the inhabitants of Little Egg Harbour, Burlington county, complaining of the official conduct of Eyre Oliphant, esq. Justice of the Peace of said county, and praying relief in the premises.

Which memorial was read, and ordered to lie on the table.

Mr. Earl presented the remonstrance of John Hutchings and Benjamin Fish, agents of the transportation line between New York and Philadelphia, against the passage of the bill for incorporating the Columbian Steam Boat Company.

Which remonstrance was read, and ordered to lie on the table.

Mr. Christie presented the petition of certain residents of this State, praying the incorporation of the New Jersey Interest and Savings Bank.

Which petition was read, and committed to Messrs. Christie, Coles, and Bee.

Mr. Mills presented the petition of Henry A. Ford, and others, Trustees of St. Peters Church, in Morristown, praying for the repeal of the first proviso, in the tenth section of the act for incor-

porating trustees of religious societies, and other matters relative thereto:

Which petition was read, and committed to Messrs. Mills, Vroom, and Foster.

Mr. Earl, from the committee to whom was referred the engrossed bill, entitled An act to authorize Richard Eyre to erect and maintain a dam across the main south branch of Rancocus creek,

Reported said bill, without amendment.

Which bill, on motion, was dismissed, and the parties permitted to withdraw their papers.

The engrossed bill, entitled An act for the relief of the New Jersey Delaware Oyster Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Bee,
Carson,
Chandler,
Christie,
Earl,
Emly,
Ewing, (Speaker.)
Foster,
Freas,
Halsted,
Hopping,
Jeffers,
Kirkpatrick,
Lloyd,

Messrs. Mickle,
Mills,
Mott,
Munson,
Parker,
Porter,
Seeley,
Snowhill,
Terhune,
Thompson,
Townsend,
Toy,
Van Riper,
Wall,

West—29.

NAYS.

Messrs. Armstrong,
Clifford,
Coles,
Day,

Messrs. Green,
Marsh,
Robbins,
Stryker,

Vroom—9.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to enable Garrabrant Van Riper, his heirs, or assigns, to erect a mill dam across the river Passaic,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,
Bee,
Carson.

Messrs. Chandler,
Christie,
Clifford.

Messrs. Coles,

Earl,

Emly,

Foster,

Freas,

Green,

Hopping,

Jeffers,

Kirkpatrick,

Lloyd,

Marsh,

Messrs. Mills,

Parker,

Porter,

Robbins,

Snowhill,

Stryker,

Terhune,

Thompson,

Toy,

Van Riper,

Vroom,

West—29.

NAYS.

Messrs. Capner,

Day,

Dodd,

Ewing, (Speaker.)

Halsted,

Messrs. Mott,

Munson,

Seeley,

Townsend,

Wall—10.

Ordered, That the Speaker sign the same.*Ordered*, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House resumed the consideration of the bill, entitled An act to incorporate the Mechanics' Bank of Orange.

Which was gone through with by section, and ordered to be engrossed.

The House resumed the consideration of the bill, entitled An act to repeal certain acts therein named.

Which was considered by section, and the title so amended, as to read, An act for the relief of the Mechanics' Insurance Company, in the county of Essex, and of the New Brunswick Dismal Swamp Company, in the counties of Somerset and Middlesex.

Thus amended, the bill was ordered to be engrossed.

The House adjourned to ten o'clock to-morrow morning.

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SATURDAY, February 2, 1826.

Ten o'clock the House met.

Mr. Vroom presented the petition of Joseph C. Hornblower, solicitor for the devisees of James Little, late of Sussex county, deceased, praying that a law may be passed, authorizing the Court of

Chancery, if that court shall see fit so to decree, to apportion to the said devisees, their shares, respectively, in the estate of said deceased.

Which petition was read, and committed to Messrs. Vroom, Toy, and Robbins.

Mr. Dodd presented the petition of Abraham Goodwin, jr. and others, of Paterson, Hunterdon county, New Jersey, praying to be incorporated as a Fire Insurance Company.

Which petition was read, and committed to Messrs. Dodd, Seeley, and Terhune.

Mr. Vroom presented the remonstrance of certain inhabitants of New Brunswick, against the passage of the bill, to incorporate the Columbian Steam Boat Company.

Which petition was ordered to lie on the table.

Mr. Earl presented a petition from inhabitants of this State, for a rail-road from Camden to the bay of Amboy.

Which petition was ordered to lie on the table.

Mr. Dodd submitted the following resolution :

Resolved, That the President and Cashier of the New Jersey Manufacturing and Banking Company, be required, forthwith, to make full return to the Secretary of State, under oath, of the stock of said Company, and the manner in which the same is employed ; how much specie is in the vault, and what amount has been paid out, during the year last past, to redeem the notes of the said bank ; and how much has been otherwise disposed of, and for what purposes ; and where the said specie has been sent ; and, also, a full and true statement of the funds and property of the said Company, and of the notes in circulation, and debts due, and owing by the said Company.

Which resolution was read, and agreed to.

Ordered, That the Speaker sign the same ;

And that the Clerk carry the said resolution to Council, and request their concurrence therein.

The Speaker laid before the House, the following letter from John Stevens :

Trenton, February 2, 1828.

SIR—I have some representations to make to the Honorable the Legislature of this State, respecting rail ways, which, I do conceive, will be of some importance. I would, therefore, wish the House will indulge me with a postponement of the consideration of this subject, for a few days.

With due respect,

I am, sir, your obedient servant,

JOHN STEVENS.

The Honorable

WILLIAM B. EYING, Esq.

Speaker of the House of Assembly.

Which letter was read, and ordered to lie on the table.

Mr. Christie, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to incorporate the New Jersey Interest and Savings Bank.

Which bill was read, and ordered a second reading.

Mr. Christie, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act authorizing the enclosure of a certain tract of woodland, situate in the township of Saddle River, in the county of Bergen.

Which bill was read, and ordered a second reading.

Mr. Dodd, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled A supplement to an act entitled an act to enable William S. Pennington, of the county of Essex, to carry into effect a trust therein named, passed the 27th day of November, 1823.

Which bill was read, and ordered a second reading.

The bill from Council, entitled An act to incorporate the Farmers' and Mechanics' Bank of Rahway,

Was read a second time ;

Whereupon, Mr. Parker presented an authenticated statement of the amount of mechanical, manufacturing, and mercantile business, yearly transacted, within and near the town of Rahway.

Which was ordered to lie on the table.

The bill was then progressed in by sections, and postponed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

The bill, entitled An act authorizing the owners and possessors of land, lying on Belcher's creek, to drain the same,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled An act to authorize commissioners to sell and convey the real estate of William Hall, deceased,

Was read a second time, gone through with by section, and the title so amended as to read, An act to authorize commissioners to sell and convey part of the real estate of William Hall, deceased.

Thus amended, the bill was ordered to be engrossed.

A message from Council, through Mr. Coleman, as their Secretary, informed the House that the Council have passed a

bill, entitled An act supplementary to an act entitled An act to incorporate a company to extend the Paterson and Hamburgh Turnpike Company, to Hudson river, passed 16th February, 1816.

To which bill, they request the concurrence of the House of Assembly.

Which bill was committed to Messrs. Christie, Mills, and Hop-
ping :

And the message informed, that the Council have passed the bill from the House of Assembly, entitled An act to dissolve the marriage contract of Mary Taylor and William Taylor ;

The bill from the House, entitled An act to authorize George Opdycke, administrator with the will annexed, of Moses Warford, deceased, to sell and convey the real estate of said deceased ; and

The bill, entitled An act to authorize the owners of a tract of salt meadow, in the township of Middletown, in the county of Monmouth, to enclose, drain, and regulate the pasturing of the same,

Respectively, without amendment.

The petition of a number of the inhabitants of Egg Harbor, Burlington county, complaining of the official conduct of Eyre Oliphant, esq.

Was called up, and committed to Messrs. Green, Dodd, and Parker.

The report of the President and Cashier of the People's Bank, at Paterson,

Was called up, and referred to the committee to whom was committed the report of the Washington Bank, and Monmouth Bank.

The bill, entitled An act to repeal an act therein named,

Was read a second time, considered by section, and the title so amended as to read, A supplement to an act authorizing the banking and improving of certain meadows and swamps, in the counties of Cumberland and Cape May.

Thus amended, the bill was ordered to be engrossed.

The bill from Council, entitled An act for the better regulating of the fishing in Newark bay, and in the Passaic and Hackensack rivers, passed December 7th, 1825,

Was read a second time, considered by section, and the title so amended as to read, An act to explain an act entitled An act for the better regulating of the fishing in Newark bay, and in the Passaic and Hackensack rivers.

Thus amended, the bill was ordered a third reading.

The report of the committee of the last Legislature, on the petition for the impeachment of William Harrison, esq. of Gloucester county, together with the documents accompanying the same,

Was called up, and committed to Messrs. Earl, Freas, and Dodd.

The resolutions submitted by Mr. Toy, for surveying and ascertaining the value of the oyster beds in Delaware bay, within the bounds of the county of Cumberland, by commissioners to be appointed for the purpose,

Was called up and read :

Whereupon, on motion, Mr. Toy offered a substitute, for a committee to be appointed, to enquire into the value of the oyster beds, within the bounds of the said county of Cumberland, whether they can be rendered available, as a source of revenue to the State, and to report to this House.

Which resolution, thus amended, was committed to Messrs. Toy, Vroom, and Parker.

The House adjourned to ten o'clock on Monday morning.



MONDAY, February 4, 1828.

Ten o'clock the House met.

Mr. Wall presented the petition of a number of the inhabitants of this State, praying for an alteration in the law relative to fences, so as to prevent the trespassing of sheep and hogs.

Which petition was read, and committed to Messrs. Wall, Coles, and Freas.

Mr. Wall presented the petition of a number of the lottery and exchange brokers, of Philadelphia, praying the privilege of opening offices, and to sell tickets in all the lotteries of the different states, at Camden, in this State, under a license.

Which petition was read, and committed to Messrs. Wall, Vroom, and Townsend.

Mr. Wall presented the remonstrance of a number of the inhabitants of Hunterdon and Burlington counties, against the passage of a law for incorporating the Columbian Steam Boat Company.

Which petition was ordered to lie on the table.

Mr. Dodd, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to incorporate the Paterson Fire Insurance Company, in the counties of Essex and Bergen.

Which bill was read, and ordered a second reading.

Mr. Day, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled A further supplement to an act entitled An act to incorporate the Newark and Mount Pleasant Turnpike Company.

Which bill was read, and ordered a second reading.

The bill, entitled An act to assist the inhabitants of the townships of Pahaquarry and Knowlton, in the county of Warren, to complete that part of a public highway, lately laid out in said townships, which crosses the Blue Mountain, at the Water Gap.

Was read a second time, progressed in by section, and re-committed.

The bill, entitled An act to divorce Mary Hamilton, from her husband, William Hamilton,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled An act authorizing the commissioners therein named, to convey certain real estate to Wollaston Redman, in trust, for the heirs of Jacob Raum, esq. deceased,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill from Council, entitled An act to divorce Sarah Gorham, from her husband, Eleazer Gorham,

Was read a second time, considered by section, and ordered a third reading.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled An act to incorporate a part of the township of Newton, in the county of Gloucester,

With amendments.

To which amendments they request the concurrence of the House of Assembly.

Which amendments were read, the first agreed to, and the bill and second amendment ordered to lie on the table.

And the message informed, that the Council have passed a bill, entitled An act to incorporate the New Jersey Coal Mining Company.

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading.

The engrossed bill entitled An act to authorize commissioners to sell and convey part of the real estate of William Hall, deceased,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act authorizing the owners and possessors of land, lying on Belcher's Creek, to drain the same,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,
Capner,
Chandler,
Christie,
Coles,
Day,

Messrs. Dodd,
Earl,
Ewing, (Speaker.)
Foster,
Hopping,
Kirkpatrick,

Messrs. Lloyd,
Mills,
Mott,
Munson,
Parker,
Porter,
Robbins,
Secley,

Messrs. Stryker,
Terhune,
Thompson,
Townsend,
Toy,
Van Riper,
Vroom,
West—28.

NAYS.

Messrs. Freas,

Messrs. Mickle,

Wall—3.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The bill, from Council, entitled An act to explain an act entitled An act for the better regulating of the fishing in Newark bay and in the Passaic and Hackensack rivers, passed December the 7th, 1825,

Was read a third time, as amended.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, and inform them that it has been passed by this House,

With amendments.

To which amendments they request the concurrence of the Council.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Kirkpatrick, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to provide for the removal of obstructions to the free course of the waters in Parsippany Brook, the Scow Ditch, and Company Ditch, in the township of Hanover, county of Morris.

Which bill was read, and ordered a second reading.

The bill from Council, entitled An act to incorporate the Farmers and Mechanics' Bank of Rahway,

Was called up, and committed to Messrs. Parker, Day, and Kirkpatrick.

The bill, entitled An act to enable the owners of certain tide meadows, in the township of Nottingham, and county of Burlington, to improve the same,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled An act for the relief of Aaron Hassert,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled An act to incorporate the Hunterdon county Mining Company,

Was read a second time, gone through with by section, and ordered to be engrossed.

Mr. Parker, from the committee to whom was committed the bill from Council, entitled An act to incorporate the Farmers and Mechanics' Bank of Rahway,

Reported the same with amendments.

Which amendments were read, agreed to, and the bill as amended, ordered a third reading.

The bill, entitled An act for the relief of John T. McDowell, Joseph McChesney, and David Mercereau,

Was read a second time, the first section disagreed to, and the bill dismissed.

The engrossed bill, entitled A supplement to an act authorizing the banking and improving of certain meadows and swamps, in the counties of Cumberland and Cape May,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the resolution from the House of Assembly, relative to the New Jersey Manufacturing and Banking Company,

Without amendment.

Mr. Porter presented the following resolution :

Resolved, That a committee be appointed, to enquire, whether any, and if any, what alterations are necessary in the act, entitled An act for the preservation of deer and other game, and to prevent trespassing with guns.

Which resolution was read, agreed to, and Messrs. Porter, Dodd, and Thompson, accordingly appointed.

The House adjourned to ten o'clock to-morrow morning.

TUESDAY, February 5, 1828.

Ten o'clock the House met.

Mr. Green presented the petition of the Georgetown and Franklin Turnpike Company, praying an extension of the time for completing said road, and also to change the located route of part of the same.

Which petition was read, and committed to Messrs. Green, Marsh, and Clifford.

Mr. Carson presented the petition of Mary Owens, of Middlesex county, praying to be divorced from her husband, Peter Owens.

Which petition was read, and committed to Messrs. Carson, Van Riper, and Toy.

Mr. Wall presented the petition of a number of the inhabitants of the county of Hunterdon, in favor of the Delaware and Raritan Canal.

Which was ordered to lie on the table.

Mr. Emly presented a petition from a number of the inhabitants of this State, in favor of a rail road from Camden to the bay of Amboy.

Which was ordered to lie on the table.

Mr. Bee, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act relative to the Truss Bridge, over Great Timber Creek, in the county of Gloucester.

Which bill was read, and ordered a second reading.

Mr. Vroom, with leave, presented a bill, entitled An act concerning escheats.

Which bill was read, ordered a second reading, and to be printed.

The House resolved itself into a committee of the whole, Mr. Woodhull in the chair,

On the bill, entitled An act to provide for the improvement of the internal navigation of the State :

And after some time spent in the consideration of the same, the committee rose, and reported the bill, with its amendments, to the House.

Which, on motion, was ordered to lie on the table.

The House adjourned to three o'clock in the afternoon.

Three o'clock the House met.

Mr. Mickle presented several remonstrances against the removal of obstructions from the channel of Woodbury creek ;

And Mr. Porter, a number of petitions, in favor of removing the obstructions from said creek, and for improving the navigation of the same.

Which, together, were referred to the committee on that subject.

The Speaker laid before the House, the following communication from his excellency the Governor :

Council Chamber, February 5, 1828.

SIR—I will thank you to communicate the accompanying message and papers to the House of Assembly.

I am, with great consideration,

Your most obedient servant,

ISAAC H. WILLIAMSON.

Honorable W. B. EWING,

Speaker of the House of Assembly.

EXECUTIVE DEPARTMENT,

Trenton, February 4, 1828.

Gentlemen of the Legislative Council,

and of the General Assembly :

I lay before you, a report and statement of the claims of New Jersey to the Hudson river and Staten Island, by the commissioners appointed under the authority of this State, to negotiate an amicable settlement of the existing differences between the states of New Jersey and New York, respecting boundary and jurisdiction ; from which you will learn, that, notwithstanding the commissioners, on the part of this State, have manifested the strongest desire to effect a settlement of these differences, by offering to make great sacrifices of the just rights of this State, to attain that desirable object, and by insisting on no conditions incompatible with either the honor or the interest of that state to have conceded to us. Yet, the negotiation has not had a satisfactory issue.

The repeated overtures which have been made, on the part of New Jersey, as well as the liberal terms of compromise offered by our commissioners, cannot fail to place, in a strong light, the constant and strong disposition, on the part of this State, to remove every source of irritation and dispute, and to terminate, in any reasonable and satisfactory mode, the unhappy differences between the two states.

In 1806, her Legislature made advances for that purpose, by appointing commissioners, to meet commissioners to be appointed, on the part of New York, to settle the limits within which the respective states should exercise jurisdiction on the waters lying between their shores. and to determine the eastern boundary line of New

Jersey; when the commissioners, appointed by their respective states, attempted, but without success, to settle the question of strict right.

In 1818, New Jersey made a new proposition to settle the controversy, and offered to appoint commissioners to agree with commissioners, to be appointed by New York, to make a statement of facts, relative to the controversy, to be submitted to the decision of the Supreme Court of the United States, which, by the federal constitution, has original jurisdiction of all controversies, between two or more states; and where the questions of boundary and jurisdiction might have been temperately discussed, and fairly and justly decided; but which overture remains to this day unanswered.

As the legislature of New York, by their silence, declined a judicial decision of the matters in controversy, in 1824, the Legislature of this State, in the hope that an amicable adjustment of the differences might be made, to the advantage of both states, upon the principles of compromise and mutual concessions, and without agitating the question of right, about which the former commissioners had disagreed, passed an act for that purpose, authorizing the appointment of commissioners by the executive of this State, to meet commissioners to be appointed on the part of New York; but the time limited in our act was suffered to expire, without the legislature of New York passing a corresponding law on their part.

In the year 1826, the Deputy Sheriff of Richmond county, was arrested, and indicted, in this State, for serving process within the jurisdiction of New Jersey, under the authority of the laws of New York; when, upon an application from the Governor of New York, the executive of this State directed all further proceedings against that officer, to be suspended, until after the meeting of the legislatures of the two states, in hopes that the New York legislature might be induced, by the perilous situation in which one of her officers was placed, in consequence of the conflicting claims between the two states, to agree to some fair mode of settling the controversy, and, thereby render unnecessary the further prosecution of that officer, for the purpose of maintaining our jurisdiction: And, in the same year, upon an informal intimation of the governor of New York, to the executive of this State, that if the time was enlarged by our Legislature for the appointment of commissioners by the respective states, commissioners would probably be appointed, on the part of New York; our Legislature passed an act for that purpose, which was duly communicated to the governor of New York, but which was tardily met by the legislature of that state, and under circumstances which gave but little promise of a favorable issue. And, it is worthy of remark, that pending the negotiation, and whilst our commissioners were actually attending at Albany, to meet the commissioners of New York, a bill passed one branch of her legislature, and which subsequently became a law, asserting and declaring the boundary line of that state to extend "along the west shore, at low water mark, of Hudson river, of the Kill Van

Kull, of the Sound, between Staten Island and New Jersey, and of Raritan bay, to Sandy Hook ;" thereby extending their claim of territory much farther than had ever before been done by any legislative enactment.

This government, certainly had a right to expect, that pending the negotiation for an amicable settlement of the differences, on conditions honorable and satisfactory to both parties, all things would have been permitted to remain as they were ; and that their legislature would have forbore to make a new assertion of their claims, and especially one, which they could not seriously suppose, that New Jersey would ever acquiesce in, as the basis of an amicable settlement.

Under such circumstances, it is not a matter of much surprise, that the New York commissioners, should reject all terms of compromise, which implied an acknowledgment by them, of the right of this State, to any part of the waters of the Hudson river, and should offer to us, as matters of favor and gratuity, rights and privileges upon our own wharves, and along our own shores, with some other trifling privileges, of little or no value : terms of settlement, which were promptly, and justly rejected by our commissioners.

This conduct, so different from that sense of justice, magnanimity, and amity, that ought to exist between "independent communities," renders all further attempts, on the part of this State, at compromise and settlement, entirely hopeless, and leaves us no alternative, but by enforcing the laws of the State to support its jurisdiction, and which have heretofore been successful, in resisting all open attempts to encroach upon our rights or territory.

The assertion, which has been repeatedly made, "that New York is in the exclusive possession of the disputed waters, and in the actual and constant exercise of exclusive jurisdiction over them," is totally unfounded, and is most fully disproved by the constant exercise of jurisdiction, by this State, over those waters, and the actual use of them by our citizens, for all useful and necessary purposes ; and by the wharves and piers, which have been, and are constantly erecting, under the laws of this State, along our shores, and extending beyond low water mark ; and which encroachments, upon their claims of jurisdiction, have, for many years past, afforded to that state, fair opportunities to bring the question of boundary, between the two states, to a legal decision ; but it appears, that the state of New York, chooses rather to submit to all those encroachments upon the territorial limits claimed by her, than to try the question of title between the two states. And, as a further proof of the unwillingness, on the part of that state, to bring their claims to a judicial decision, I refer to the fact, that, upwards of twenty years ago, the corporation of the city of New York, commenced an action at law, against certain individuals, for a trespass, or usurpation upon their rights, building the first piers, at Jersey City, which are extended into the Hudson ri-

ver, far beyond low water mark ; but which action since the service of the process, has not been further prosecuted, no doubt, from a consciousness of the weakness of their title, and a reluctance to bring it to the test of a judicial investigation ; and since that time, other piers have been erected, at that city, extending into the Hudson river, for which no action whatever has been brought—Whereas no trespass upon our territory, or violation of our rights, has occurred, or is likely to occur, to afford to this State an opportunity of bringing to a legal decision, by the ordinary process of law, any question between the two states, as to boundary or jurisdiction : And by a report made, in the senate of New York, on the 12th of February, 1827, by a committee on the judiciary, relative to the New Jersey boundary, it is made a question, whether “the article of the constitution of the United States, which extends the federal power to controversies between two or more states, gives the Supreme Court of the United States cognizance of questions which may arise between members of the confederacy, as to their sovereignty and jurisdiction :” and if that Court does not possess jurisdiction to settle and determine all such questions, then New Jersey has no means, within her own power, to bring the controversy to a final decision ; and must, from necessity, rely upon her laws, and the vigilance of her citizens, for the support and maintainance of her just rights, until a returning sense of justice and amity, shall induce that state to submit her claims to some peaceable mode of decision.

Since the failure of the negotiation, I have given notice to the prosecuting attorney, that the reasons which induced me to direct a suspension of the proceedings against the Deputy Sheriff of Richmond county, no longer exist ; and that he is at liberty to proceed with the prosecution against him.

I recommend to your consideration, whether any further legislative provision is necessary to secure our citizens in the peaceable possession of their rights, and to prevent any further usurpation of authority within the eastern boundary of this State ; and whether any process of law can be resorted to, to bring the controversy between the states of New Jersey and New York, to a legal decision, within a reasonable time.

It will also be necessary for the Legislature to make provision for compensating the commissioners, on the part of this State, for their services, and the very satisfactory manner in which they have discharged the duty required of them.

ISAAC H. WILLIAMSON.

Which message was read, and, with the following accompanying report of the New Jersey Commissioners, and the statement of the merits of the controversy existing between the two states, of New Jersey and New York,

Was ordered to lie on the table.

REPORT

OF THE

NEW JERSEY COMMISSIONERS, &c.



*To the Honorable the Legislative Council,
And General Assembly of the State of New Jersey :*

The undersigned, Commissioners, appointed on the part of the State of New Jersey, to settle the questions of territory and jurisdiction, in dispute with the State of New York,

RESPECTFULLY REPORT—

That soon after they received their appointment and commission from his excellency the Governor of this State, they met at Trenton, duly organized themselves into a Board, for the regular prosecution of the duties of their commission, and notified the commissioners, on the part of the state of New York, of their readiness to proceed with the negotiation. A meeting of the two boards was arranged, to take place at Newark, on the first day of August last, and was accordingly held.

Your commissioners, after full deliberation, concluded that it would be proper, in the first instance, to wave the formal investigation of the claims of New Jersey over the waters lying between the two states ; and to endeavor, in the spirit of the act which created their powers, and by an amicable negotiation, conducted upon principles of mutual concession, to settle the controversy, upon terms equitable and just.

They were the more disposed to this course, when it was considered that the question of title had been long before the public, and had received an able discussion at a meeting of commissioners, heretofore appointed by the two states, for the same objects.

And, moreover, your commissioners, at their first meeting with the commissioners of New York, in August last, perceived no disposition, on their part, to engage in a formal investigation of the title : and it was suggested, that propositions, in writing, of an adjustment of the existing difficulties on the waters of the Hudson river and the Sound, should be made, and interchanged by the respective boards.

This was accordingly done, in the hope of thereby arriving at some basis of settlement, where the two states might meet in harmony, and thus terminate a protracted and unhappy controversy.

The proposition, No. 7, submitted by your commissioners, in substance, embraced the principles of the agreement, heretofore made between the states of New Jersey and Pennsylvania, with respect to the river Delaware; and under which convention, they have experienced no inconvenience, but great benefit, in the common use of those waters. On receiving the proposition of the commissioners of New York, marked No. 2, in exchange for their first proposition, your commissioners were surprised to perceive, that the commissioners of New York did not propose to negotiate, on the principles of equality of right; but therein considered themselves in the exclusive and decided possession of the whole waters of the Hudson river, and were only willing to concede to New Jersey, and that with a sparing hand, certain specified privileges. The undersigned promptly apprised them, that they could not negotiate upon such a basis, and that any convention, made upon such terms would not only be repugnant to our own convictions of the rights of New Jersey, but would never receive the sanction of our Legislature. The commissioners on the part of New York, professing a desire to settle the controversy, proposed that further efforts should be made by the modifications of their respective propositions; and accordingly, at a subsequent meeting, at Newark, and at several succeeding meetings, at Albany, the subjoined propositions, marked No. 1, 2, 3, 4, 5, 6, 7, and 8, were interchanged—In all of which, on the part of New York, the undersigned regret to state, as your honorable bodies will perceive, the exclusive right and jurisdiction of the state of New York over the Hudson, is considered as unquestionable and conclusive; and in the powers conceded to the State of New Jersey, we could not fail to be struck with the guarded restrictions, that by necessary construction, effectually excluded her from even a concurrent jurisdiction over any portion of these common waters.

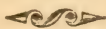
In the terms of settlement submitted by your commissioners, they endeavored to remove any just ground of exception, by yielding to New York, exclusive jurisdiction over the adjoining waters, in several important matters, which the health and commercial welfare of the city of New York, seemed to require. As that great and rapidly increasing emporium of commerce, is identified with our national prosperity, and maintains very intimate and constant relations in business, with the State of New Jersey, we deemed these concessions to be justified, as well by sound policy, as by the spirit of accommodation, with which we approached the duty assigned to us.

Influenced by a desire to promote those friendly feelings, so essential to the well being of sister states, we further proposed to relinquish the claims of New Jersey to Staten Island, and the adjacent small islands in the intermediate waters

After several conferences with the commissioners of New York, at Albany, that only furnished additional proof of their determination to adhere to the principles of their first proposition, the undersigned became convinced, that further negotiation would be fruitless, and therefore concluded it, by addressing to them, the note marked A, the answer to which marked B, and the further correspondence marked C, and D, are hereto subjoined.

Believing, as we firmly did, that New Jersey possessed, at least, equal and concurrent rights over the Hudson, and the other dividing waters, and that her property rightfully extend to the middle of that river, we could not consistently extend the concessions of New Jersey beyond the terms of our propositions. We have deemed it proper to submit with our report, a statement of the claims of New Jersey, to the Hudson river and Staten Island, and the reasons in law, on which those claims are founded.

RICHARD STOCKTON,
JOHN RUTHERFORD,
THEODORE FRELINGHUYSEN,
LUCIUS Q. C. ELMER,
JAMES PARKER.



First Proposition on the part of New Jersey.

The commissioners of New Jersey, by way of friendly compromise, and settlement of their territorial and jurisdictional disputes with the state of New York, and without discussing, or by this proposal affecting, the question of right, on the part of either state, proposed to the commissioners of New York, the following terms:

1st. That the waters of the Hudson river, south of the forty-first degree of north latitude, and north-west of a line drawn from the south-west point of the Battery, in the city of New York, to Staten Island, and the waters between Staten Island and the main land, excluding Newark bay, be the boundary between the two states, and a common highway, equally free and open for the use, benefit, and advantage of both parties; the rights of fishing, docking, wharfing, and improving upon, and adjacent to, the shores of each state, respectively, to be full, free, and exclusive, so that nothing shall be done, that will tend to obstruct or impair the navigation.

2d. That each state enjoy and exercise a concurrent jurisdiction within and upon the aforesaid waters, but so that every ship or other vessel being in the said waters, and bona fide, departing from, bound to, or riding at anchor, before any city or town, in either state, where she has last laden, unladen, or departed, or where it is intended she shall first thereafter lade, unlade, or enter, be considered exclusively within the jurisdiction of such state; and every vessel fastened to, or aground on the shore of either state, shall, in

like manner, be considered exclusively within the jurisdiction of such state.

3d. That the islands called Bedlow's Island, Ellis' Island, Oyster Island, and Robins' Reef, to low water mark of the same, be held, to be and remain within the exclusive jurisdiction of the state of New York.



First Proposition on the part of New York.

The State of New Jersey shall enjoy and exercise exclusive jurisdiction on all the wharves and land now made, or which may hereafter be made, on the west shore of the Hudson river, from the northern boundary of the State of New Jersey along the said shore, as well as natural alluvion, to the actual line of low water; provided such wharves and piers do not impede or obstruct the navigation of said river; and process issuing out of any of the courts of said State, or from any magistrate thereof duly authorized, may be served upon any person indebted within the said State, on contracts arising therein, or charged with having committed any offence within said State, and who may be on board of any vessel fastened to, or alongside of such wharves, or aground on said shore, or who may have committed any trespass, or offence, on board of any vessel so situated.



Second Proposition on the part of New Jersey.

1st. The waters of the Hudson, and between Staten Island and the main land, to be the boundary between the two states, and a common highway for both parties, and New Jersey to relinquish all claims to Staten Island, and the Islands in the above waters, now claimed and possessed by New York.

2d. The state of New York to have the exclusive jurisdiction in and over the waters of the Hudson, with the following exceptions, viz: New Jersey to have the exclusive right, to regulate and exercise jurisdiction over wharves, docks, and other improvements made, or to be made, on the New Jersey shore, and the fisheries, on the west side of the channel, so that the navigation be not obstructed or injured; and New Jersey to have also exclusive jurisdiction over vessels bound to, or departing from, any place in New Jersey, or riding at anchor before any place in New Jersey, where she hath last laden or unladen, or where it is intended she shall first thereafter, either lade or unlade, so that the said vessels shall be considered as subject to such general quarantine laws of the state of New York, as the vessels of their own state are, or may be subject to, provided that such vessels may be permitted to discharge their cargoes, subject to such quarantine regulations, at any port in the State of New Jersey, instead of Brooklyn, or any other port in the state of New York: and jurisdiction over property

taken out of New Jersey, to evade due process of law, and over persons for acts committed, or debts contracted in New Jersey, and also concurrent jurisdiction as to offences committed, or trespasses done by citizens of New Jersey, on the west side of the main channel.

3d. The State of New Jersey to have the exclusive jurisdiction over the waters, between Staten Island and the main land, with the same exceptions in favor of New York, as are contained in the above article, in favor of New Jersey.



Second Proposition on the part of New York.

The commissioners of the state of New York, by way of making a friendly compact between the states of New York and New Jersey, that delinquents and offenders, in and against the State of New Jersey, may be brought to justice, and the dispute between the two states, as to jurisdiction and limits, may be amicably adjusted, make the following propositions to the commissioners of New Jersey, the making of such propositions not to affect any question of rights between the two states.

1st. The inhabitants of New Jersey, in common with the inhabitants of the state of New York, shall enjoy the fisheries on the west side of the Hudson river, from the northern boundal of the State of New Jersey, southwardly along said State, and in the waters between Staten Island and New Jersey, to be so used, however, as not to injure the channels, or impede or obstruct the free and safe navigation of the said river.

2d. The State of New Jersey shall enjoy, and exercise exclusive jurisdiction on all the wharves and land now made, or which may hereafter be made, on the shore of the State of New Jersey, opposite to the state of New York, and also to low water, along the whole of said shore, and that civil process, issuing out of any of the courts of said State, or from any magistrate thereof, duly authorized, may be served upon any person or persons indebted, or liable, upon any contract, made within the said State, or who may have committed any wrong therein, and which person or persons, may be on board of any vessel fastened to, or by the side of such wharves, or aground on such shore, provided that such person or persons shall not then be under arrest, by virtue of any process or authority of the state of New York.

3d. The State of New Jersey shall also have the right of serving criminal process, upon all the waters of the Hudson river, lying between the states of New York and New Jersey, and upon all the waters between the shores of Staten Island and New Jersey, for crimes and offences committed upon the land above low water, and within the said State of New Jersey—Such process not to be served upon any person or persons, on board of any vessel attached to, lying at, lading or unlading at, or by any wharf, pier or

shore, in the state of New York, or anchored in any of said waters, for the purpose of lading, or unlading as aforesaid, or who may then be under arrest, by virtue of any process or authority of the state of New York.

4th. The state of New York shall have the right to exercise all jurisdiction, power and authority, over the said waters, other than such as herein secured to the State of New Jersey.



Third Proposition on the part of New Jersey.

1st. The waters of the Hudson river, and other waters between the two states, to be the boundary, and a common highway for both parties.

2d. Each state shall have the exclusive jurisdiction and regulation of wharves, docks, and other improvements made, or to be made on its own shores, and of the fisheries adjacent to its shores, provided that the navigation be not obstructed or injured. All vessels fastened to, or aground on, the shore of either state, shall be considered as exclusively within the jurisdiction of such state, as shall also, all vessels bona fide, bound to, or from such state.

3d. Each state shall have concurrent jurisdiction in the service of civil process, issued for the enforcement of any contract made, or wrong done, or committed within such state; and also, for the services of criminal process, for offences committed against such state.

4th. The state of New York shall exercise exclusive jurisdiction over the waters of the Hudson river and bay of New York, in the enforcement and execution of her health laws, and all other jurisdiction, power, and authority over the said waters, in every case not herein before stipulated; and the State of New Jersey shall exercise exclusive jurisdiction over all the other waters between the two states, in the enforcing and execution of her health laws, and all other jurisdiction, power and authority, in every case not herein before stipulated.

5th. The State of New Jersey to relinquish all claims to Staten Island, and the other islands in the waters between the two states, now claimed and possessed by New York.



Third Proposition on the part of New York.

1st. The inhabitants of New Jersey, in common with the inhabitants of the state of New York, shall enjoy the fisheries in that part of the Hudson river which is east of the shore of New Jersey, and, also, in the waters between Staten Island and the New Jersey shore; but the State of New Jersey shall have the right of regulating the fisheries on the west side of the said waters, between Staten Island and New Jersey: to be so regulated, however, as not to

impede or obstruct the free and safe navigation of the said waters.

2d. The State of New Jersey shall enjoy and exercise exclusive jurisdiction on all the wharves and land, now made, or which may hereafter be made, on, or adjoining the shore of New Jersey, opposite the state of New York, and also to low water mark, along the whole of the said shore ; and civil process issuing out of any of the courts of said state, or from any magistrate thereof, duly authorized, may be served upon any person or persons indebted, or liable on any contracts made within the said State, or who may have committed any wrong therein, and which person or persons may be on board of any vessel fastened to, or by the side of such wharves, or aground on said shore ; provided, that such person or persons shall not then be under arrest, by virtue of any process or authority of the state of New York.

3d. The State of New Jersey shall also have the right of serving criminal process upon all the waters of the Hudson river, lying between the shores of New York and New Jersey, and upon the waters between the shores of Staten Island and New Jersey, for crimes and offences committed upon the land, above the natural low water, on the shore of New Jersey, or upon any wharf or land now made, or which may hereafter be made, on, or adjoining the said shore—such process not to be served upon any person or persons on board of any vessel attached to, lying at, lading or unlading at, or by any wharf, pier, or shore in the state of New York, or anchored in any of said waters, for the purpose of lading or unlading as aforesaid, or who may then be under arrest, by virtue of process or authority of the state of New York.

4th. The State of New Jersey shall also have the right of serving process, issued in pursuance of the laws of that State, upon all property taken out of New Jersey to evade due process of law, in all places where the right to serve criminal process, issued under the authority of the State of New Jersey, is provided for by the foregoing article : provided, that such property shall not have been seized or levied upon, under, or by virtue of process issued under the authority of the state of New York, so as to render it subject to the exigency of such process, by virtue of such seizure, according to the laws of the state of New York.

5th. The state of New York shall have the right to exercise all jurisdiction, power and authority over the said waters, other than such as are herein secured to the State of New Jersey.



Fourth Proposition on the part of New Jersey.

1st. The waters of the Hudson river, and the other waters between the two states, to be the boundary, and a common highway for both parties.

2d. Each state shall have the exclusive jurisdiction and regulation of wharves, docks, and other improvements, made, or to be made,

on its own shores, and of the fisheries adjacent to its shores : provided, that the navigation be not obstructed or injured. All vessels fastened to, or aground on, the shore of either state, shall be considered exclusively within the jurisdiction of such state.

3d. Each state shall have concurrent jurisdiction over the said waters, in the service of process issued for the enforcement of any contract made, or wrong done or committed against such state ; and also for the service of criminal process, for offences committed against such state, above low water mark : provided, that as to civil process, for the enforcement of any such contract, the citizens of the said states of New York and New Jersey, shall not be subject to arrest on the said waters, by process issuing from the courts of either state, against the citizens of the other.

4th. The State of New Jersey shall have concurrent jurisdiction for all offences committed by her citizens, on the waters of the Hudson, adjacent to New Jersey ; and the state of New York shall have concurrent jurisdiction, for all offences committed by her citizens on the other waters between the two states, adjacent to the state of New York

5th. The state of New York shall exercise exclusive jurisdiction over the waters of the Hudson river and bay of New York, in the enforcing and execution of her health laws, and all other jurisdiction, power and authority over the said waters, in every case not herein before stipulated : provided, that the same shall be, in every respect, equal and reciprocal as to the two states ; and the State of New Jersey shall exercise exclusive jurisdiction over all the other waters between the two states, in the enforcing and execution of her health laws, and all other jurisdiction, power and authority, over the said waters, in every case not herein before stipulated : provided, that the said exclusive jurisdiction, shall be, in its exercise, in every respect, equal and reciprocal as to the two states.

6th. The State of New Jersey to relinquish all claims to Staten Island, and the other islands in the waters between the two states, now claimed and possessed by New York.



Fourth Proposition on the part of New York.

1st. The State of New Jersey shall have exclusive jurisdiction over all the waters on the west side of the channel, between Staten Island and New Jersey, and on all the wharves, piers, and land, now made, or to be made, on, or adjoining the shore of New Jersey, opposite the state of New York, and also to low water mark, along the whole of said shore ; and, also, on all vessels fastened to, or by the side of, any such wharf, or pier, or aground on said shore : provided, however, that the said vessels, and their officers, crews and passengers ; and, also, the waters above mentioned, and all vessels therein, with their officers, crews and passengers, shall be subject to the jurisdiction of New York, for the enforcing of such qua-

quarantine and health laws, and such laws relating to passengers, as now exist, or may hereafter be passed, under the authority of that state.

2d. The State of New Jersey shall have the right to serve all civil process, over all the waters between the shores of the two states, upon any person or persons, domiciled in the said State of New Jersey ; provided such person or persons, shall not then be on board of any vessel attached to, lying at, lading or unlading, at, or by any shore in the state of New York, or any wharf or pier adjacent to such shore, or anchored in any of the said waters, for the purpose of lading or unlading, as aforesaid ; and provided also, that such person or persons shall not then be under arrest, by virtue of process or authority, of the state of New York.

3d. The State of New Jersey shall also have the right of serving criminal process, wherever the right of serving civil process is provided for, by the foregoing article, for all crimes and offences against the laws of said state, committed upon the land above the natural low water mark, on the shore of said state, or in any place where the jurisdiction of said state is provided for, in the first article ; provided the person or persons, against whom such process shall have been issued, shall not be at the time of its service, under arrest, by virtue of any process or authority, of the state of New York.

4th. The State of New Jersey shall also have the right of serving process, issued in pursuance of the laws of that state, upon all property taken out of that state, to evade due process of law, in all places where the right to serve civil process, upon persons domiciled in said state, is provided for in the said article ; provided that such property shall not have been seized, or levied upon, under or by virtue of process, issued under the authority of the state of New York, so as to render it subject to the exigency of such process, by virtue of such seizure, according to the laws of that state.

5th. The state of New York shall have the right to exercise all jurisdiction, power and authority, over all the said waters, other than such as are herein secured to the State of New Jersey.



(A.)

Letter from the New Jersey, to the New York Commissioners.

The undersigned, Commissioners of the State of New Jersey, in the present stage of the negotiation, beg leave explicitly, to state to the commissioners of the state of New York, that the claim of New Jersey, in the matters of limits and boundary, in difference with New York, are as follows :

1st. A right of territory and jurisdiction to the middle of the river Hudson, and the Narrows, agreeably to the true construction of the original grants, and the rights required by the war of the revolution, and the treaty of peace, recognizing the independence of the United States

2d. Staten Island, and the three oyster islands, expressly included within the territory of New Jersey, as set forth in the aforesaid grants.

3d. The waters between Staten Island and the main land, the same being altogether within the limits of New Jersey.

With the hope that some satisfactory arrangement might be made, upon the basis of mutual accommodation, the undersigned have not only refrained from exhibiting their claims, founded, as they believe, upon the most approved principles of law, but have explicitly offered to relinquish their right to Staten Island and the oyster islands, and also important rights in the waters of the Hudson, so as to ensure to the city of New York, the more effectual protection of her health and commerce; they indulged the expectation that the commissioners of New York would propose some arrangement which would not be founded on principles inconsistent with any just title in New Jersey, in the matters in controversy.

They, however, deeply regret, that all the propositions offered by the commissioners of New York, assume, as a basis, the ownership of New York to the waters between the states, and merely accord to New Jersey, as favors, certain privileges which she now fully and of right enjoys. Under these circumstances, the undersigned feel themselves compelled to state, more formally, and in writing, that they cannot negotiate upon such a basis, nor can they advance further upon the principle of mutual concession and friendly adjustment. They, therefore, submit to the commissioners of New York, the expediency of referring the decision of the controversy to some indifferent and impartial tribunal.

And have the honor to be, with great respect, &c.

RICHARD STOCKTON,
JOHN RUTHERFORD,
THEODORE FRELINGHUYSEN,
JAMES PARKER,
LUCIUS Q. C. ELMER.

To John T. Irving, Nathaniel Pitcher, Samuel A. Talcott, Hermanus Bleecker, and Herman J. Redfield, esquires.



(B.)

Letter from the New York, to the New Jersey Commissioners.

Dated 17th September, 1827.

Gentlemen—The commissioners of New York, have the honor to acknowledge the receipt of a note from the commissioners of New Jersey, of the 15th instant, in which the claims of the latter State, are set forth as comprising a right of territory and jurisdiction to the middle of the river Hudson and the Narrows; a right of territory and jurisdiction over Staten Island, and the three oyster islands; and, also, over all the waters between Staten Island and the main

land. The commissioners, on the part of the state of New York, from a knowledge of the claims which have been heretofore set up on the part of New Jersey, have, from the beginning of this negotiation, acted under a belief that the only mode of coming to an amicable arrangement of the matter in controversy, between the two states, was to proceed upon what was well expressed in your note: "the principles of mutual concession, and friendly adjustment;" and that the views entertained by ourselves, and those, which we suppose to be entertained by the commissioners of New Jersey, upon the strict legal question of right, between the two governments, were so totally at variance, that no arrangement could be made upon such a basis. We have, therefore, in all the propositions submitted to the commissioners of New Jersey, endeavored to avoid any assertion of right, on the part of New York, and to place the whole matter upon the footing of an amicable adjustment of the differences between the two states, which have heretofore produced inconveniences to both. And, in those propositions, it was certainly the intention of the commissioners on the part of this state, to stipulate for the enjoyment, by the State of New Jersey, of rights within the territory of New York, the granting of which should not be "founded upon principles inconsistent with any just title in New Jersey." But, it is true, that we have ever had a regard to what we consider the territory and jurisdiction of our state, although we have sedulously endeavored to avoid embarrassing the negotiations between us, by any assertion of right incompatible with the claims of New Jersey. If we have failed in those endeavors, we are willing that the commissioners of New Jersey, shall so correct and modify the phraseology of our propositions, as to render them, in this respect, acceptable. At the same time, however, we must take the liberty of saying, that we did suppose, that those propositions contained grants of privileges to New Jersey, which she had never enjoyed, and could only have the right of enjoying, by virtue of concessions from this state. A particular discussion of those privileges, in the present state of our negotiation, we do not think necessary or useful.

But, without going into an examination of the claims of New Jersey, "to territory and jurisdiction to the middle of the waters of the Hudson and the Narrows," the commissioners of New York feel bound to say, that they did seriously believe, that the commissioners of New Jersey would, upon their own principles, consider the proposed stipulations, allowing that State to serve criminal and civil process upon the waters east of what New Jersey claims as their boundary line, as grants of new rights from the state of New York. And as they had not understood that New Jersey enjoyed, or claimed such rights, they were not a little surprised to find, that propositions, granting those rights, were considered, by the commissioners on the part of that State, as merely according to New Jersey, as favors, certain privileges, which she now fully, and of right, enjoys.

The commissioners of New York, regret that the commissioners of New Jersey, cannot "advance farther upon the principles of mutual concession and friendly adjustment;" for it will be impossible for us to negotiate upon a recognition of the rights of New Jersey, as asserted by the commissioners, in their note of Saturday. We think, therefore, that nothing now remains to be considered, but the proposition with which that note closes, submitting to us, "the expediency of referring the decision of the controversy to some indifferent and impartial tribunal." Upon this suggestion, we have again perused the act of our state, constituting the board of commissioners; and, although we find power to make an agreement with the commissioners of New Jersey, upon the points in controversy, we do not see any authority to submit the decision of such controversy, to any other tribunal.

There is, however, a general clause, investing us with all powers which had been given by New Jersey to the commissioners on her part; and it becomes necessary, therefore, before discussing this proposition, and in order to ascertain our own powers, in relation to it, that we should enquire whether the commissioners of New Jersey are authorized, by the laws of that state, to submit the question, between the two states, to any other, and if so, to what other tribunal.

We are, gentlemen, with respectful consideration,
Your obedient servants,

JOHN T. IRVING,
NATHANIEL PITCHER,
SAMUEL A. TALCOTT,
H. BLEECKER,
HERMAN J. REDFIELD.

To Richard Stockton, John Rutherford, Theodore Frelinghuysen, James Parker, L. Q. C. Elmer, esquires, Commissioners.



C.

Letter from the New Jersey, to the New York Commissioners.

Albany, September 17th, 1827.

Gentlemen—The commissioners of the State of New Jersey, have the honor to acknowledge the receipt of a note from the commissioners of New York, of this day, and beg leave, in reply, to renew the expression of their regret, that no amicable adjustment of the territorial disputes between the two states, appears, at present, to be practicable.

In explanation of the views we expressed, of the propositions made by the commissioners of New York, as to the extent of the privileges they accorded to New Jersey, we would remark, that those views resulted from a consideration of the privileges, in their connection. The proposed benefit of executing civil and criminal

process, on the Hudson, was extended to both sides of the river, impairing our right to serve process on our own waters, and against our own citizens, and was so restricted in its terms, and so qualified in its general operation, on the east side of the Hudson, that we could not regard it as a distinct and valuable privilege. The suggestion, as to the "expediency of referring the decision of the controversy to some indifferent and impartial tribunal," was not made by us, under the impression that the two boards could officially make it the subject of express convention and agreement; for the act authorizing the commission, on the part of New Jersey, confines our functions to the settlement of the line. But as an intimation of such a course was given by the New York board, at an early stage of our negotiation, and as New Jersey has always been willing to submit her rights in question, to such a tribunal, we presumed that, as a measure of expediency, it might, very properly, by joint advisement, and the concurrence of the two boards, be made a fair matter of recommendation to their respective legislatures. We alluded, particularly, to the Supreme Court of the United States, as the tribunal, to whose consideration and judgment, we confidently believe, the State of New Jersey would submit the controversy.

RICHARD STOCKTON,
JOHN RUTHERFORD,
THEODORE FRELINGHUYSEN,
JAMES PARKER,
LUCIUS Q. C. ELMER.

To John T. Irving, Nathaniel Pitcher, Samuel A. Talcott, H. Bleecker, and Herman J. Redfield, esquires.



(D.)

Letter from the New York, to the New Jersey Commissioners.

Albany, September 17th, 1827.

Gentlemen—In respect to your note of this evening, which we have had the honor to receive, and which suggests the expediency of submitting the matters, in controversy, between the two states, to the decision of the Supreme Court of the United States: we beg leave, respectfully, to state, that although it was a subject of conversation between the members of the two boards, whether such a course might not become advisable, in case of their disagreement, it was not suggested on the part of the commissioners of New York, that we had the power to agree to such submission, or that the act of appointing us, required, or would sanction a recommendation to our legislature, to pass any other act upon the subject.

Appointed, ourselves, especially, for the purpose of adjusting with the commissioners, on the part of New Jersey, the differences between the two states, and having, to our great regret, failed to accomplish this desirable object, we think that it does not belong

to us, to point out to those, from whom we have derived our authority, the course which, under such circumstances, it becomes them to pursue. Such we would with all deference suggest, might perhaps more properly be effected by a correspondence between the executives of the two states, and by such recommendations as they might respectively make to the legislatures of each.

This, we believe, is the usual channel through which such recommendations are made, and the legislature of the state we represent, would certainly receive a communication of that nature, with all that consideration and respect, which is due to the State of New Jersey.

We are gentlemen, with the most respectful consideration, your obedient servants,

JOHN T. IRVING,
NATHANIEL PITCHER,
SAMUEL A. TALCOTT,
H. BLEECKER,
HERMAN J. REDFIELD.

To Richard Stockton, John Rutherford, Theodore Frelinghuysen, James Parker, Lucius Q. C. Elmer, esq's, Commissioners.



The following facts and argument, in relation to the matter in controversy, between New Jersey and New York, are submitted by the Commissioners of New Jersey, to the Legislature :

The controversy between the states of New Jersey and New York, in regard to the eastern boundary of New Jersey, naturally divides itself into two general heads :

1st. The right of New Jersey in the Hudson river, and the other dividing waters.

2d. Her right to Staten Island.

1st. Of the river Hudson, and the dividing waters.

It is contended, for New Jersey, that the Hudson river, and the other waters, "leading unto" her territory, were conveyed to the proprietors of New Jersey, at least as early as the year 1682, for the purposes of "navigation, free trade, fishing, or otherwise;" namely, for all other purposes to which such waters ought to be appropriated ; and, that this general proposition can be maintained, whether the grant, under which she claims, are considered merely as conveyances between individuals, and to be tested by the general rules of construction, applicable to such instruments, or, as grants of territory, jurisdiction, and government, made by a sovereign power, for the purpose of creating a political state and constitution, and to be construed as such, according to the more liberal principles of the public law, called the law of nations.

A concise view of the origin of the English title, to this part of

North America, will properly precede an examination of this assertion.

Sebastian Cabot, a natural born British subject, discovered the continent of North America, in the year 1497, and coasted from Newfoundland, to cape Florida.

Smith, the historian of New Jersey, remarks, that, "from this discovery and voyage, the English have claimed the country ever since, by the well known *jus gentium*, which declares, that "whatever waste, or uncultivated country, is discovered, it is the right of that prince, who has been at the charge of the discovery."

Several futile attempts to settle the country, had been made by the British government, in early times.

In 1584, queen Elizabeth granted to Sir Walter Raleigh, all such countries, in America, as were not then possessed, or inhabited, by christian people, under which grant a settlement was made in Virginia.

In 1606, James I. granted a new patent of Virginia, which included within its limits, New England, New York, New Jersey, Pennsylvania, Delaware, and Maryland—the whole country then bearing the name of Virginia. Under this patent, a settlement was made; but its affairs were so mismanaged, that the patent was declared forfeited, on a *quo warranto*, after which the whole was re-annexed to the crown.

The languishing condition of these settlements, attempted by the English, induced the Dutch to set up a claim to that part of the country, which now includes the states of New York and New Jersey. Henry Hudson, an Englishman, in the service of the States of Holland, was, in 1609, sent out by the Dutch India Company, on a voyage to discover a north west passage to the East Indies.—He touched at New York, and sailed up the river, which was, after him, called The Hudson. The Dutch, afterwards, made a settlement at New York, and in the adjacent parts of New Jersey, and pretended that the whole territory belonged to the West India Company, under the States General.

They built a fort at New York, and another on the Delaware; laid out a garden and farm at Horsemus, and sent out many actual settlers, from Holland, who took possession of large tracts of land, in both states, as subjects of the States General. In the mean while, the civil war in England, so engrossed the attention of the English, that the Dutch were permitted to retain their possession, until after the restoration of king Charles II.

After this event took place, the plan of asserting the English title, to that part of the continent into which the Dutch had intruded, was once again revived; and that it might be regained and secured, and settled by English subjects, upon a large scale, it was resolved, by the king and his council, to create a principality, in favor of the duke of York, the king's only brother, and the heir apparent of the crown; and that, for the purpose of immediate colonization, the duke should convey that part of his domain, which now constitutes

the State of New Jersey, to lord Berkley and sir George Carteret, two of the king's privy council. In pursuance of this great plan of colonization, the king granted all the country from Nova Scotia to Delaware bay, to the duke, on the 20th March, 1664, and in June, of the same year, the duke conveyed New Jersey to Berkley and Carteret. To make these grants effectual, and to dispossess the Dutch, who were considered as intruders, an armament had been prepared, and a fleet, with troops on board, sailed from England, a few weeks after the grant to the duke, that is to say, on, or about the 26th April, 1664, a state of war not then existing between England and the States of Holland. This force arrived, and achieved the purpose for which it was fitted out, by dispossessing the Dutch, in the month of August, of the same year, 1664, and by putting the grantees, Carteret and Berkley, in possession of New Jersey. As soon as the news of the surrender of the country, by the Dutch, arrived in England, the proprietors set about their great work of settling it by English adventurers.

They had not been idle from the time they received their grant, but had well considered and matured their plan. On the 10th February, 1664, (old style) in less than a year from the date of the king's grant to the duke, they published to the people of England, the principles upon which they were willing to plant and govern their intended colony. On that day, under the designation of grants and concessions, they published their first state paper, offering to the settlers a free plan of government, to consist of a legislature, composed of a Governor, Council, and Assembly, to be composed of delegates, to be chosen annually by the people; a judiciary department, suited to the infant state of the colony; a militia, for public defence, and the general rules to be observed in the sale, purchase, and laying off of lands.

This paper is a written constitution, and has engrafted into it, the most approved principles of English liberty. Its sole object was to invite and encourage the settlement of the colony, by the offer of a free constitution, securing to the adventurers, the blessing of civil and religious liberty. In truth, it is the same, substantially, as that under which New Jersey lived until the revolution. It may be further said, that the present constitution of the State differs from it no more than was naturally consequent on independence of the crown of England. On the same day, 10th February, 1664, the proprietors appointed Philip Carteret, their first Governor.

This review of the early history of the State, clearly evinces that these grants, or conveyances, were all made with the intent, and for the purpose of settling a new colony; of creating a new state.—The duke, being the owner of a domain extending far to the east and north, grants New Jersey to Berkley and Carteret, that they "*might plant a colony.*" He reserves New York to himself, that he, or his immediate agents, might not only watch over and keep in subjection the foreigners who had settled the country, but mix them up with a much larger number of English subjects, and thus

lay the foundation of another distinct sovereignty, to be governed by his authority, under the protection of the crown of England.

The result is, that these grants are not to be considered as merely muniments of title, as private deeds between individuals, but as grants of territory, jurisdiction and government, intended to call into existence a new people, and to create a new political state.— They are all in *pari materia*, parts of the same transaction; they have the same objects; they deal with matters of state and sovereignty; they take their origin from the *jus gentium*, and must especially now upon a controversy of limits and jurisdiction between two sovereign states, be tested by the great principles of public law, recognized by all civilized nations in the settlement of such disputes. The first grant of the king to the duke, bears date on the 12th March, 1664. It grants to the duke, his heirs and assigns, for ever *inter alia*, “the Hudson river, and all the lands from the west side of Connecticut, to the east side of Delaware bay,” including the states of New York and New Jersey.

This territory is to be holden of the crown of England, in free and common socage.

It also gives and grants to the duke, his heirs, deputies, agents, commissioners, and assigns, full and absolute power and authority, “to correct, punish, pardon, govern,” and “rule according to such laws, orders, &c. as the duke, or his assigns, shall establish; and in default thereof, in case of necessity, according to the good discretion of his deputies or assigns, as well in causes and matters capital and criminal, as civil, both marine, and others, so as the said statutes and proceedings be not contrary to, but as near as may be, agreeable to the laws of England, saving also an appeal to the king, on any judgment or sentence,” &c.

It adds also the right to bring over British subjects, to exercise martial law, to make defensive war, and regulate commerce; in fine, as to this territory, it invests the duke and his assigns, with all the regalia of the crown. It creates a sub-royalty in favor of the duke, his heirs, and assigns, subject only to the general tie of allegiance to the king of England.

The right of the king to make such a grant to a subject cannot be brought into debate.

The kings of England, prior to the revolution of 1688, claimed and exercised that right even in England, and without the concurrence of parliament.

Such were the counties palatine of Chester, Durham, and Lancaster, granted in ancient times, to distinguished individuals. They were called counties palatine, from the words *palatio regis*, (palace of the king), and judge Blackstone says that the owners had “*jura regaliā*,” as fully as the king hath in his palace. But as to newly discovered countries acquired by conquest, or driving out the natives by British subjects, these were especially assigned to the king as his prerogative, who gave to the settlers such laws and constitutions as he pleased. Speaking of the American colonies,

Blackstone says, "they were governed either by royal or proprietary governments, which latter were granted out by the crown to individuals, in the nature of feudal principalities, with all the inferior regalities of subordinate powers of legislation, which belonged to counties palatine."

Lord Mansfield, on our subject says; after the conquest of New York, in which most of the old Dutch inhabitants remained, King Charles II. changed the form of their constitution and political government, by granting it to the duke of York, to be held of his crown, under all the regulation contained in his patent.

The learned commentator, Blackstone, calls the governments thus created, "subordinate royalties." He considers the grants as legal, and vesting in the grantees all the powers enumerated.

In the case of Hall and Campbell, lord Mansfield considers the king as having acquired New York by conquest, from the Dutch; and lays down the law thus: "the laws of the conquered country remain in force until they are altered by the conqueror." The Dutch laws would, therefore, have privilege; but he had taken care to "change their constitution and political government," by the grant to the duke. The grant of the duke to Berkley and Carteret, was to carry into effect such change, as far as related to New Jersey, part of which had been actually colonized by the Dutch, and the whole of which was claimed by them.

The proprietors were substituted in the place of the duke, according to the stipulations of the patent, and become the sub-sovereigns of the territory, as fully as the duke would have been, had he made no grant. And so they remained, until they surrendered the government to queen Anne. The duke of York, being thus prince, owner, and legislator, determined to divide his vast domain—to create a new state, independent of him, to be planted by others, with British subjects and adventurers, to which he gave the name of New Jersey.

This is the description of the country granted to lord Berkley and sir George Carteret, "all that part of land adjacent to New England, and lying and being to the westward of Long Island and Manhattan Island, and bounded on the east by the main sea and Hudson's river, and hath upon the west, Delaware bay or river, and extends the southward to the main ocean, as far as Cape May, at the mouth of Delaware bay, and to the northward as far as the northernmost of the said bay or river Delaware, which is 41 degrees, 40 minutes of latitude, and crosses thence, in a straight line, to the Hudson river, in 41 degrees of latitude, to be called by the name of Nova Casaræ, or New Jersey; together with all the rivers, mines, minerals, woods, fishings, fowlings, &c. and other royalties, profits, &c. to the same belonging, in as full and ample a manner as the same are granted to the duke of York." Upon the making of this grant, the proprietors took possession.

The concessions, or constitution of February, 1664, before mentioned, induced many to emigrate from England. They were pub-

lished also in New England, and the liberal plan of government established, induced many settlers to remove from those parts. Philip Carteret came over in 1665, and as early as the 30th May, 1668, a legislative body, consisting of a governor, council, and house of burgesses, elected by the people, met in general assembly.

In 1673 the Dutch re-conquered the country, but shortly after, it was restored, and finally secured to the English, by the treaty of peace between Great Britain and the states of Holland.

These transactions, it was supposed, made it proper that new grants should be made to the duke, and to the proprietors, and accordingly in 1674, the king again granted the same domain to the duke; and he also granted to Sir George Carteret, the eastern part of New Jersey, and afterwards the western part to the grantees of Lord Berkley, on the same terms, and with the same powers, as are used and conveyed by the former. Nevertheless, the claim of the proprietors to the rights of government were still disputed.

These powers had been expressly granted by the king to the duke, as has been already seen; but in his grants to the proprietors, are to be found only the general description of "rivers, mines, minerals, &c. and other royalties," which might be satisfied, without construing them to include the great powers of political government. Sir Edmund Andross, the duke's governor of New York, denied the right of the proprietors in this respect, and went so far in the year 1680, as to send an armed force to Elizabethtown, which made Philip Carteret, the proprietary governor, a prisoner, and brought him forcibly to New York, where he was indicted, and tried for usurping the king's government in New Jersey. He was acquitted by the jury, notwithstanding all the influence of the governor and the court was employed to procure his conviction, and the conduct and proceedings of Andross, were censured and disavowed in England, by the king and the duke.

Meanwhile, a partition of New Jersey had taken place, and East Jersey had been assigned to Sir George Carteret, and West Jersey to the grantees of Lord Berkley. Conveyances had been made of East Jersey to twenty-four persons, afterwards called the twenty-four proprietors. To free the proprietary governor from all the doubts arising out of these events, to explain the domain and powers intended to be conveyed by the former grants, which are recited, the duke of York made a confirmatory grant in the year 1682, to the eastern proprietors. By it he alters the phraseology of the first grants, in regard to rivers, which merely included rivers as appurtenances, in these general terms, together with all rivers, &c. which might be satisfied by internal rivers. But this additional confirmatory grant adds this important section, not to be found in the former grants, namely, "*and also all islands, forts, &c. whatever, to the same belonging: And also the free use of all bays, rivers and waters, leading unto, or lying between the said premises. for navigation, free trade, fishing, or otherwise.*" "and

for the better enabling the grantees to improve, and plant the said premises with people, and to exercise all necessary government there, whereby the said premises may be the better improved, and made more useful to them, their heirs and assigns, he gives, grants and transfers to them, their heirs and assigns, proprietors of the said province of East New Jersey, for the time being, all and every such and the same powers, authorities, jurisdictions, governments, and all matters and things whatsoever, which by the said letters patent were granted to the duke of York," to be exercised as fully, and to all intents and purposes, as the duke might have done.

This last grant is a public and solemn act, whereby a former sovereign grants and confirms to a state already in existence, and in actual possession, all the rights remaining in him, or which might be supposed to remain, by reason of the inaccuracy of former grants, and it is entitled to the benefit of the same rules of construction, as would be applied to a treaty of limits, boundary, and jurisdiction, between independent states.

It is true, these grants and conveyances, are not in the form of written conventions or treaties, but appear in the shape of grants or deeds of land, to take effect under the statute of uses. The duke's first grant to Berkley and Carteret, is by lease, and re-lease, and refers expressly to the statute of uses for its efficacy, and the deed of confirmation of 1682, is thrown into the shape of a deed of bargain and sale, having a pecuniary consideration, and all the words commonly employed in such conveyances. It will therefore be proper, to enquire, and consider, what construction the *common law*, will give to the terms of this grant. The operative words are these, "all that tract of land adjacent to New England, and lying and being to the westward of Long Island, and Manhattan Island, bounded on the east, part by the main sea, and part by Hudson's river." The rule is, that the construction must be favorable to the grantee, and against the grantor. This river, and all the dividing waters, *are notoriously to the westward of Long Island, and Manhattan Island*, and therefore are within the descriptive words of the grant. *The land* to the westward of these islands passed by express words. *This term* is of great extent in its legal operation, including all above, and all below the soil, and therefore embraces all the lands to the westward, covered by water. Unless the words describing the land granted are rejected, New Jersey must begin where those islands end. Nor ought they to be departed from in favor of the grantor, because he has added a general boundary, calculated to make it vague and uncertain. If a conflict exists between *a particular description*, and a general boundary, the latter ought to yield to the former, for it is an established rule in the construction of deeds, that if the granting words are sufficient to ascertain the lands intended to be conveyed, they *shall pass*, although they do not correspond to some of the particulars of the description. Then as no doubt can exist of the intention to pass all the lands to the west of these two islands, the

additional description, which makes the eastern boundary, to be the main sea and the Hudson, ought not to lessen or impair the benefits of the grant, in favor of the *grantor*, and against the *grantees*. But if the words of description and boundary can be reconciled, it is proper so to do. This may be effected by construing the eastern boundary on the Hudson, to mean that part of the Hudson, which bounds the islands to the *eastward* of the river, then the *eastern* boundary of New Jersey would be the east, and not the *west* side of the river, and all the words descriptive of the premises, will be fully satisfied. This it is conceived was the true legal construction of these grants, when they were made.

But if it should be admitted, that we must *now* be contented with a more restricted boundary, flowing from a construction favorable to the grantor, and against the grantees, the question will be, what land did pass, and what estate and right in these waters, as connected with the land? Admitting that the river is our eastern boundary, yet not only is the land quite up to the river granted, but also the "free use of all bays, rivers, and waters, leading *unto*, or lying between the said premises, for navigation, free trade, fishing, or otherwise." These words convey not only the fee simple of the lands, up to the very river, but *also a right and estate in the waters*, to secure to the proprietors the franchises of navigation, free trade, fishing, and all other liberties and privileges of the like nature, so as they might be held and enjoyed, not only without restraint, interruption, or regulation, but as of *their own proper estate*, wholly independent of the duke or his substitutes.

When any thing is granted, "all the means to attain it, and all the fruits and effects of it, are granted also, and shall pass, inclusive, together, with the thing, by the grant of the thing itself."

Now, the things granted, are, not only the land, but the "free use of the waters for navigation, free trade, fishing, and otherwise." *Water*, strictly speaking, is not the subject of grant; for it is a "moveable, wandering thing," and is only the subject of a temporary, transient, usufructuary property. Hence, no action will lie to recover water, even in a pond, water course, or rivulet, "but it must be for the land that lies at the bottom." By a grant, then, of the use of all the waters, for the purposes of navigation, free trade, and fishing, the waters, or the soil under the waters, must pass, so far as at least, to secure to the grantees, "the fruits, and effects" of the things so granted, and to protect them in full and uninterrupted enjoyment thereof.

Ist. It conveys a full right of navigation over all the waters.

This means something more than the common right to navigate the sea, its arms and branches. Such a general right needs no grant to pass it; it belongs to the whole human race, by the law of nature, and is so recognized by the law of nations. It means an *unfettered right of navigation*, to be secured to the grantess, their heirs and assigns, not subject to restriction, regulation or taxation, by a foreign legislature, or a foreign corporation. But if New

Jersey has no property in these waters, then might New York, by undue and severe regulations, or extravagant duties, impair, or even destroy this important franchise, and New Jersey would be a mere tenant at will to her powerful neighbor.

2d. "Free trade."

How shall the grant of the use of these waters for free trade enure? It conveys these waters, for the important purposes of a free and independent commerce, to and from our shores; and all the incidents of such a commerce, such as the right of building wharves and store houses upon the rivers, and on the sides thereof, from whence such commerce is to be carried on, pass with it.

3d. "For Fishing."

This is not a mere recognition of the general right of common fishery, which is claimed by the great mass of the people, in virtue of the common law; but *a particular right of fishery* is conveyed to the grantees, their heirs and assigns, in and upon these waters, and consequently an estate in these waters, so far as is necessary to secure this right. To this grant is also annexed the powers of government, so that the right to regulate fisheries, by legislative acts, also resulted to New Jersey.

But if New Jersey has no right or title to the river, then none of her people can own, or possess fisheries adjoining their own farms, nor could the state claim them, or even regulate them by law. New Jersey, and her people, are all dependent on New York, for the enjoyment of these *granted rights*.

And what is the construction which the law will put on the words "or otherwise?" Are they to be rejected? Were they inserted through ignorance or haste? Not so: all these patents, grants, and conveyances, were drawn with the utmost care and precision, under the direction of the law officers of the crown.

Every word was weighed, its legal interpretation understood, and its office assigned. These super-added words were intended to embrace any reasonable rights in the waters, which, though they might not be directly within the strict interpretation of the preceding terms, (navigation, free trade, or fishing,) were still of the same nature and character, and within the same reason; and all such were intended to be granted. As this instrument also conveyed the regalia, right of government, and jurisdiction to the proprietors, that jurisdiction extended not only over the lands which formed the territory, but also over all and every matter or privilege conveyed by it, so far as was necessary to its full and *complete protection*. After this grant, it was not competent for the duke to exercise a jurisdiction, or permit others to exercise it, which might impair or destroy the rights thus granted away. But to convey to his colony of New York, an absolute right to the waters, or to extend their jurisdiction over the whole river, would at once impair the grant, by subjecting the navigation, trade, and fisheries of New Jersey, to the legislation of New York. The duke himself, could not lawfully have exercised such authority.

much less could his agents, or the members of the colonial government of New York, established by him. The truth is, that after this grant of 1682, no absolute property, in these waters, could remain in the duke or his colony.

Doctor Rutherford, vol 1, p. 72, of his treatise on natural law, speaking of an original owner, says, "if any person besides himself, may lawfully claim to *use* what belongs to him, he (the original owner) cannot have the full and free use of it."

It operates as a conveyance *and limitation of his right*. If it be asked, what is the extent of these water rights of New Jersey; whether they extend over the whole, or what part of the river; and whether they are exclusive or concurrent in regard to New York; the answer is, that this must depend on the subject matter, the nature, and character of each of these privileges.

The first, the right of "navigation," is co-extensive with the waters, but in its nature is not exclusive, because it belongs to the human race; but New York has no right to regulate it against New Jersey, while her citizens *are on the waters*, for New Jersey has the right to navigate all the waters, by prior grant, from the owner of the river. Hence it was, that New Jersey has asserted this right by statute, as often as the subject has been brought up.

By the act of November 10, 1804, to incorporate the associates of the Jersey Company, section 3, it is enacted, That, they shall have the privilege of erecting or building docks, wharves, and piers, in the Hudson river and bays, *as far* as they may deem it necessary.

The act of January 25, 1811, has this recital: "Whereas the state of New York, do unjustly claim a jurisdiction, exclusively of the state of New Jersey, over all the waters, between the shores of the two states; and whereas, the citizens of New Jersey, have a full and equal right to navigate, and to have and use, vessels or boats upon all the waters, lying between the states of New Jersey and New York, in all cases whatsoever, not prohibited by the constitution, or any law of the United States." The same principle is uniformly asserted in all the statutes, which have been passed on this subject. New Jersey, from its first settlement, has been in possession of, and has used all these waters, as belonging to her of right, for the purposes mentioned in the grant; and as long as chartered rights and solemn conveyances stand for any thing, she must be considered as well warranted in making such a claim. The use of the waters for "free trade," expressly granted, could not be satisfied or secured to New Jersey, without the right of making wharves and erecting store houses, into and upon these waters, nor without a jurisdiction at least to the middle of the river, for the protection of this property, and of our citizens engaged in commerce, their vessels, boats and ships.

This right of jurisdiction has also been expressly asserted, by the statute establishing the boundaries of the county of Bergen.

in the opinion of Judge Washington, (as we shall hereafter show,) *this granted use*, followed up by actual occupation, has now ripened into a right of property, to at least one half of the waters, because on any other principle we are at the mercy of New York. If she has both ownership and jurisdiction up to our very shores or wharves, she might have destroyed, at any time, this granted "free trade," by her legislation, by enacting heavy imposts; by imposing duties for her own benefit, upon all vessels going out or coming into our ports: by the creation of monopolies in favor of her own citizens, or by any other vexatious exactions, or restrictions. All this she might have done, from the earliest times, until the adoption of the present constitution of the United States.— This great national charter, and the independence and intelligence of the judiciary department, has recently been found to afford a substantial protection; but the necessity of recurring to it, furnishes a striking illustration of the condition to which we might have been reduced, and may yet be reduced, in matters not within the scope of that constitution, if the high and unjust pretensions of New York, should be silently acquiesced in by New Jersey.

To give effect to these grants, we must go back to the times when they were made. All the property, rights, privileges, and consequent jurisdiction, which passed when the conveyances were made, still remain, unless they have been surrendered.

The constitution is a check upon New York, but affords no aid in the construction of these instruments.

Such a construction ought to be made *now*, as would have effectually secured to New Jersey, all the stipulated privileges *at the time* of the grants, and from that time to this, for, on the faith of these, the first colonists crossed the sea, and came into the wilderness; the public faith was pledged to them, in the grants and concessions, that they should participate and enjoy, the full benefit of the great waters *leading unto* the territory, for all appropriate purposes.

They, and their posterity, could only be secured in these most important rights, by a liberal construction, according to the approved principles of public law, and the true interest and meaning of all the parties to this interesting transaction at the time. Hitherto we have considered the grants of the duke of York to the proprietors, and particularly the great confirmatory instrument of 1682, as private consequences, to be construed by the rules adopted in the construction of deeds, by the common law. But this is a narrow and confined view of the subject, and neither so correct, or just, as that which we shall now take. In the historical outline of these transactions, which we have already traced, it is manifest, that the grants of the king to the duke, and the duke to the first proprietors; and the concessions, or constitution offered by the latter, to enable them to "plant the colony with people," are to be considered as parts of the same transaction, and all intended to promote the colonization, and settlement of the wilderness, in

America; they constitute a series of state papers. The first creates a vice-royal principality in the person of the duke, to whom is conveyed the regalia of the crown, in respect to this territory.—The others divide off that part called New Jersey from the rest, for the express purpose of creating a new state, or colony, independent of the duke, with a solemn investment of all the powers of government, and subject only to a general allegiance to the crown of England. Between the two parts, a great river or arm of the sea runs; it divides the one from the other, and is not only the natural boundary between them, but also the conventional boundary contemplated by the sovereign, and expressly designated by his grants. The country was acquired by the British monarch, under the *jus gentium*, or the laws of nations. The instruments dividing and parcelling it out, among others, for the purpose of creating new colonies, or states, partake more of the nature of public conventions, or treaties, than of private conveyances; and in questions of boundary and limits, they should be tested by the same law, which is nothing more than the application of these principles of justice, and reason, to the subject which has received the sanction of the whole civilized world. To construe these solemn instruments now, otherwise than to effectuate the intent of the parties, upon the most liberal principles, and in favor of the colonists, would be a manifest breach of public faith, as we have already shewn.

This great natural boundary, between New York and New Jersey, was established with a view to public convenience, and so far from any intention to exclude New Jersey from an equal participation with New York, in the benefits of the dividing waters, the reverse is apparent on the face of the record, which secured to us at least, the use thereof, for all the purposes of "navigation, free trade, and fishing, or otherwise." And what other, or different use of the waters, it may be asked, could remain, or result to New York?—In the case of Handley's lessee, against Anthony, the Supreme Court of the United States, adopts our position. These are the words of Chief Justice Marshall: "In great questions which concern the boundary of states, where great natural boundaries are established, in general terms, with a view to public convenience, and the avoidance of controversy, we think the great object, where it can be distinctly perceived, ought not to be defeated by these technical perplexities, which may, sometimes, influence contracts between individuals". If, therefore, the rules of the common law, as applied to these instruments, would exclude New Jersey from the dividing waters, and confine her either to high or low water mark, on her own shores, (which, however, we have denied to be true,) still, we may claim it by the more liberal rules of national law.

Adopting the rule of this law, as to river boundaries, the court says, "when a great river is the boundary between two nations, or states, if the original property is in neither, and there is no convention respecting it, each extends to the middle of the river."

In our case, the original property was in the duke of York. He, through the agency of his grantees, planted a colony on the west side of the Hudson, and another on the east side. The river is the boundary he gives : each, then, extends to the middle of the river.

We shew a convention, an agreement which accords to New Jersey, the unqualified use of the river, for all the purposes of "*navigation, commerce, fishing, or otherwise.*" There is no such convention to be seen in favor of New York ; yet, does she claim the entire ownership, to the exclusion of New Jersey.

If the colony of New York, succeeded to all the remaining domain of the duke, (for which she can shew no title) could she, as representing the duke, exclude New Jersey, in the face of his own solemn conveyance and convention ? In a political view, the rights claimed by New Jersey, were essential to her safety, and even to her existence as a state. How was her eastern maritime frontier to be defended against an enemy, in time of war, without the right to construct works, and build forts, which it might be expedient, and necessary, to run out into the water, by artificial means ? Must she ask permission first from her powerful neighbour ? Until the constitution of the United States provided for the public defence, New Jersey might have found herself dependant on her own exertions, in this vital concern.

The rules laid down by the Supreme Court of the United States, are taken from *Vattel*, lib. 1. ch. 22.

In section 266, of that chapter, we find this rule. Speaking of a river boundary, he says : "if neither of the two nations, near the river, can prove that it first settled in those countries, it is supposed, that they both came there at the same time ; and, in this case, the dominion of *each, will extend to the middle of the river.*"—New York could never pretend to any thing more than a simultaneous colonization with New Jersey.

Admitting that the Dutch were the first who actually planted a colony, in these parts ; yet, that colony extended over to New Jersey. The eastern part of New Jersey was settled by the Dutch, at the same time that they fixed themselves in New York, and both parts were under the same government.

This settlement, however, considered as a political state, was extinguished and destroyed by force of arms.

New Jersey was actually conveyed away by the duke, and divided off into a separate colony, in June, 1664, when the Dutch were in possession, and when the colony of New York did not exist ; so, that New Jersey seems to be entitled to all the benefit which would accrue from prior possession, colonization, and government, against the colony, or government of New York.

Again, the same author (*Vattel*, lib. 1. ch. 22, sec. 266) lays down this principle : "if a nation, fixing itself on a river, *has made any use* of the river, for navigation, or fishing, it is presumed, (by the law) with the greater certainty, that it has resolved to appropriate the river to itself." If such be the rule, in respect to an un-

propriated river, a *fortiori* must it be so, when the owner of the river; expressly grants the use of the river, to a colony emigrating thither, for the purposes of navigation, commerce, or fishing. Water is not susceptible of any other ownership than for these purposes, and their incidents; and a grant to a colony, for such uses, carries with it both property and jurisdiction.

This reasoning is adopted by Judge Washington, and applied to this very subject, as will be hereafter shewn. From all which it results, that by force of the grants and conventions made between the duke of York and the proprietors, New Jersey has a river boundary, similar to that which remained for New York, and also a property in the water, for the uses and purposes expressed; namely, of navigation, free trade, fishing, and for all other uses and purposes, of the like nature and character, founded upon the most approved rules and principles of the *jus publicum*, by which the whole was originally acquired; and that these rights must be extended, at least, to the middle of the rivers and waters. Every principle of public convenience, of justice and of reason, seems to unite in the conclusion, that when two colonies are placed on each side of a great river, the river and other waters should be divided between them, in property and jurisdiction; and that each have a right over the whole, for the purpose of navigation, to which they have a common title through Him, who made the water and the dry land, for the use and benefit of mankind.

Vattel, as to jurisdiction, in the same chapter, says: "the empire and jurisdiction over lakes and rivers, is subject to the same rules as property, in all the cases we have examined. Each state has naturally a jurisdiction over a part, or over the whole."

3d. If the title of New Jersey, to the property of the dividing waters, on her own shores, *ad filum aquarum*, cannot be sustained upon the reasoning before submitted, there still remains a ground which conducts us to the same result, and appears to be conclusive.

The grant of the king to the duke, is not only of the whole country east, and south, and west of the Hudson, but of the river Hudson itself, in terms, and of all other rivers, bays, and waters, appertaining to the granted territory. That the king had a right to grant these waters, together with the powers of government, and other regalia of the crown of England, and annex them to the principality granted to the duke, in America, was never doubted in England, at the time, nor in America; but, on the contrary, the grant, together with all that it purports to convey, was, repeatedly, and by the most deliberate acts, confirmed by the kings of England; and all our titles, in both states, are derived from this patent. But, if a doubt, upon this point, could be raised by New York, the result will be the same. The duke succeeded to the crown of England, in the year 1685.

If those waters *did not* pass to him by the grant of king Charles, his brother, they remained in the crown of England, and descended therewith, to the duke. If they *did* pass to the duke, they

became re-annexed to the crown, by his accession thereto. These, and all the other *subordinate* regalia of the duke, were merged, by that event, in the *supreme* royalty, over all the realm of England and her foreign plantations, which fell to him by hereditary succession and descent.

By the common law of England, the king, *jure coronar*, is the owner of the shores of the sea, and of all the rivers, bays, and waters in which the tide ebbs and flows. The state of New York, can have no title, nor permanent jurisdiction over these waters, unless she can produce a grant from the crown of England, conveying them to the colony of New York, or some other grantee. No such conveyance, or grant, can be shewn, because none ever existed. It was never the intention of the kings of England, after these waters had become re-annexed to the crown, to grant them, either to individuals, or to corporations. The country was so rapidly growing into political consequence, that the impropriety of making any further grants of the great rivers and arms of the sea, became palpable and self-evident.

That the duke never granted the territory of New York, as he did that of New Jersey, is a fact not to be disputed. He retained it, and governed it by his governors, who were his deputies and lieutenants. All the ancient grants and patents, made while he was duke or king, to individuals, or by the colonial government established by him, are limited to low water mark, on their own shores. No grant, or patent, extending further into the river, has been shewn, and, it is confidently believed, that none such exist. The public acts done, soon after the establishment of the English title, when the rights of all parties were well known, and the intention of the grants must have been fully ascertained, set up no pretension of ownership to the waters in controversy. On the contrary, they clearly demonstrate, that, in those days, the colony of New York made no such claim.

If that colony had a good title to those waters, what more proper occasions, for asserting it, could have occurred, than when the first charter was granted to the city of New York; and when their counties were laid out upon those waters, from that city, up to Albany, along the Hudson? The first charter to the city, was granted in the year 1686; the year after the duke had become king of England. It gives the city boundary, and assigns to it, "all Manhattan Island, and extends it, in and upon "all rivers, rivelets, creeks, waters, water courses," *as far as low water mark*: that is to say, low water on their own shores.

In 1708, another charter was granted, the object of which seems to have been, to take in "the vacant and unappropriated land on Long Island, from high water mark to low water mark, fronting the said city." It meddles not with the dividing waters.

As early as 1683, an act, or ordinance had passed, laying off several counties, and ascertaining their respective boundaries. But the settlement of the country had been so rapid, that in 1691, it was

found necessary to revise this act, and establish the county boundaries, by an act of the colonial Legislature. This being a *revised statute*, was unquestionably well considered, and, therefore, is of great weight; for if, in the infancy of the colony, when this matter was, comparatively, of small importance, any mistake had been committed, to the prejudice of the just claims of New York, it would then, most certainly, have been corrected. Yet, the county boundaries, then, again, a second time prescribed, are all based upon the principle, that New York had no claim to the waters on the New Jersey side.

In this statute, the city and county of New York, are located. The city is declared to contain Manhattan's Island, Manning's Island, the two Barn Islands, and the three Oyster Islands, "to be called the city of New York, and the rest of the islands, the county of New York." The city and county of New York, are thus placed on their own side of the waters. But, if the Legislature of New York, had then supposed, that the claim now set up against New Jersey, was valid, would it not then have extended the boundaries of the city and county, to the west side of the Hudson? So the counties of West Chester and Dutchess, running from the county of New York, up the river, towards Albany, are expressly located on the east side of the Hudson.

But when they get up beyond the north boundary line, between the two colonies, from the Delaware to the Hudson, namely, when they had a right to pass over to the west side of the Hudson, then, and not until then, do they attempt to lay out counties on the west side of the river.

The statute declares, the county of Orange to begin on the New Jersey line, "on the west side of the Hudson, and to extend to Murderer's creek, and westward, into the woods, as far as Delaware river."

So, the county of Ulster is laid off on "the west side of the river, from Murderer's creek, near the high lands, to Sawyer's creek."

And the county of Albany is to extend, on "the west side of the Hudson, to the outmost end of Saratoga."

This public statute is decisive of the opinion, then entertained, of the true boundary of the province of New York. It is a legislative declaration—a public, contemporaneous exposition, made by the king's representative, and the colonial legislature, upon the very point in controversy; proving, beyond all doubt, that when this law was enacted, New York made no claim to the ownership of these dividing waters.

This statute is taken from the edition of New York laws, published in 1753, by Chief Justice Smith, and the late Governor Livingston, then men of eminence at the bar of New York.

The first gentleman, was the celebrated William Smith, afterwards Chief Justice, under the king, of New York, and of Canada.

The standing, and exalted character of Governor Livingston, are

matters of history, in New Jersey. It never could have occurred to them, that so important a right had been relinquished by the province of New York, or they would have pointed it out. That no such opinion was entertained, by those great men, is manifest.

Shortly after the publication of these laws, the same Mr. Smith, also published a history of New York, that is to say, in 1756. Not only in his character of *revisor* of the laws, but especially as the *writer* of a history of the colony, from its first settlement, he must have carefully examined all the existing grants, patents, and documents, in relation to the territorial boundary of the country he was about to describe; and these are his words of description: "The province of New York, *at present*, contains Long Island, Staten Island, and the lands on the east side of Hudson's river, to the bounds of Connecticut." This is a very cautiously worded definition of boundary. The significant words "*at present*," were probably introduced, because he intended to include Staten Island, which the learned historian well knew was not anciently, or rightfully, a part of New York, but had been gained by usurpation; and he probably supposed, by long possession, might *then* be called a part of New York. But, if he had entertained the slightest opinion, that the province, whose history he was writing, and whose territorial limits he was describing, included the whole of the great river Hudson, over to high or low water mark, on the western side, and the bay of New York, and all the rest of the dividing waters, would he have committed, against New York, so gross and injurious an error, as to limit her to the eastern side of the Hudson, and be silent as to the ownership of these important waters? There is every reason to believe, that he would not. The truth is, that until a whole century had passed away, no attempt was made to extend the counties of New York, over the west side of the Hudson, south of the north partition line. It seems that in the year 1768, the Legislature of New York, again took up the location of their counties, and made a sort of feeble, conditional assertion of right, by new modeling West Chester, and adding to it all that part of the river Hudson which adjoins the county of West Chester, "*and is to the southward of the county of Orange, or so much as is included in this province.*" This must now be regarded as a disguised entering wedge, which *then*, perhaps, excited but little attention, but it fully proves, that even *then*, in 1768, the Legislature of New York was not prepared to take the bold ground which they have since occupied. They do not hazard the direct assertion, that the west side of the Hudson, south of Orange county, belonged to them. They only venture to extend the jurisdiction, *provided* it belongs to them, which is about as effectual, and not more so, than would have been an enactment of the Legislature of New Jersey, if it had declared, that the boundary of the county of Bergen should extend over the land, from the east side of the Hudson, to the north side of the east river, or to so much thereof, as is included in this province of New Jersey.

In accordance with this non-claim, on the part of New York, was the *actual possession*. The possession of waters, can only be made manifest by their use, and by the overt acts done upon their shores. The use of these waters, for navigation, commerce, fishing, and for all the purposes to which water can be applied, had been in the proprietors and inhabitants of New Jersey, from its first settlement, without interruption, or disturbance, from New York; and the possession, thus taken, of our half of the river, still continues. The fisheries, all along the Bergen shores, carried out to the middle of the river, or, as far into it as it was beneficial to go, have existed beyond the memory of man, and still exist, without any effectual opposition having been made thereto, by New York.

The proprietary Governors of New Jersey, and the board of proprietors, after its establishment, exercised every act of ownership of which the subject matter was susceptible.

As early as 1669, Governor Carteret granted a license to Peter Hetsfelsen, to be the only and common ferryman, from Communipau to New York.

In 1678, a ferry license was given by the same Governor, to Job Simerson, between Bergen, Communipau, and New York.

Other licenses, of the same nature, were given for ferries, between the shores of Bergen county and New York.

In 1733, Governor Crosby, as Governor of New Jersey, (being also Governor of New York) granted to Archibald Kennedy, esq. one of the king's council, in New York, and also receiver-general of the king, a license for a ferry, from Bergen to New York.

In 1746, this same king's counsellor and receiver-general, Archibald Kennedy, made a survey and location of *Bedlow's Island*, and under a warrant from the *eastern* proprietors.

He also made a similar location of the farm at Horsimus, which was called the Dutch West India Company's Garden, and might have been supposed to have been acquired, personally, by the king; as that Company acted in a public capacity, as Governors of the country, while it remained under the dominion of the Dutch, and he exercised all acts of ownership, on the adjacent waters, under his New Jersey title.

Powle's Hook, Hoboken, and all the Bergen shore, was located, in like manner, under the eastern proprietors, and the owners have, time out of mind, erected wharves, and store-houses, and cleared fisheries, beyond low water mark, as far into the river as they judged it expedient to go.

Upon the recent purchase of Powle's Hook, by the Jersey Company, they built wharves, which extend into the river, far beyond low water mark. The corporation of New York, prosecuted two of the Company, who were found in that city, for an alleged trespass; but have permitted the suit to remain untried for twenty years.

Upon this suit, the question, now in agitation, would have arisen, and might have received a judicial trial and determination. But

the corporation have declined a resort to an impartial tribunal, and the wharves, and others since erected, remain undisturbed.

It is, however, true, that in the year 1730, Governor Montgomery of New York, granted another charter to the city of New York, in which an attempt is made to carry the bounds and jurisdiction of the corporation, to the west side of the Hudson.

The words having this operation, are these: after running to Red Hook, a line is given, "*from thence across the Hudson, to low water mark, on the west side, or along the limits of the province, to a point opposite to West Chester.*" This contingent provisional extension of the city bounds, is liable to the observation already made, in regard to the new boundary given to the county of West Chester, in the year 1768, which was probably borrowed from this charter, and is no evidence of either title or possession. If the true limits of the province did *not* carry them over to the west side of the Hudson, then they have no right to exercise any jurisdiction there, but must necessarily stop at the true western line, which is the middle of the river, and from thence run up their side of the waters, until they come opposite to their beginning, at king's bridge.

This charter, of 1730, is the only public document, or private conveyance, which purports to convey any rights on the New Jersey side of the Hudson; and as it appears to be mainly relied on, by the corporation of New York, it may merit a more full examination. It was granted by the king's Governor of New York, in the reign of George II. and is brought up against New Jersey, as a muniment of the title of New York, to the whole of this river. The question is, whether the crown of England ever did grant the property of this river, to New York, after it became re-annexed to the crown? It is not, to whom the king granted the *superintendency, or custody of this royal river*; and unless this charter does legally grant the river to the corporation, *in full propriety and ownership*, it can have no influence on the matters in dispute. Our construction of this instrument, leads us to conclude, with confidence, that it is no legal conveyance of the river, but that the same remained afterwards, and until the revolution, a part of the domain of the kings of England, in their political capacity.

It may well be asked, at the outset, what right the governor of New York, or even the legislature of New York, could possess in 1730, to convey this river to a corporation. It is a great river, an arm of the sea. It was essential to the navigation, the commerce, the defence and safety of an important royal colony. The king of England could only be the owner of the river as king, by his prerogative.

The character of these waters had essentially changed, since they had been first conveyed to the duke of York. *Then they belonged to a newly discovered country*, just acquired by conquest, or driving back the savage natives, and as such, by the received law of nations, as well as by the common law of England.

might be granted by patent, or ceded by treaty, to whom the king saw fit, and upon this principle it is, that the river was conveyed, and passed by the letters patent of 1664, from the king to the duke.

But this river had resulted again to the crown of England, and when this pretended conveyance was made in 1730, the territory on each side thereof, had been settled by British subjects, and had grown into great and powerful colonies, parcel of the dominions of the kings of England, governed by the common law of England, and by the statutes enacted by their own Legislatures, and entitled to all the benefits and privileges of the mother country. The revolution, too, in England, of 1688, had been effected, and by it the prerogative of the crown, had been reduced and confined within reasonable bounds.

The great principle, that the king was the agent and trustee of the nation, was fully established. In the first year of the reign of queen Anne, an act of parliament had deprived the crown of the power of granting its domains, for a longer period than thirty years. After this great event had happened, no attempt was ever made in England, to grant the ownership of rivers on the sole authority of the king.

It may be well doubted, whether king George himself, could lawfully have granted away the ownership of this great river.— That his deputy, or governor of New York, or his colonial Legislature, were incompetent to it, must be manifest to all. If then this river, and these waters could not be legally granted, after they became re-annexed to the crown, had the charter in terms conveyed to the corporation "*solum et fundam*" of all them, the same had been void *ab initio*. The sentence of the law, even upon such a grant from the king, would have been, "that the king was deceived in his grant."

But such was the intention of this charter. There are no words of grant to be found in it, conveying the soil and ownership of these waters. The instrument contains a mere description of boundary for the city of New York, and those words which betray a sinister attempt to extend its limits over to the west side, can legally operate only to place the river under the supervision of the officers of that corporation.

To this end, the charter grants, that the mayor of the city, for the time being, shall be bailiff and conservator of the north and east rivers. In speaking of this instrument, in 1807, the commissioners of New York add, as a fact, that, accordingly, "all arrests on these rivers were made by the mayor, (not the corporation) as water bailiff, and the process for that purpose, was directed to him."

Lord Hale, in his celebrated *treatise de jure maris*, explains to us the nature of the office of water bailiff, and recites the old cases which might have given rise to this charter of 1730.

The office of water bailiff, (says lord Hale) or scrutator, is a bare

ministerial officer, which the king doeth, or may appoint, in those rivers or places, which *are his, in franchise or interest*; and *his business is to look to the king's rights.*"

Again, he says, "the office of conservator of rivers, we find mentioned in the statute of the 1st of Elizabeth, ch. 17, and by a grant made to the city of London, and confirmed by the parliament of 17 Richard II. ch. 9, the conservancy of the river Thames, from Stainsbridge to Medway, is granted to the mayor of London.

We then see, that as early as the reign of Richard II. a grant was made, and even confirmed by the Legislature, to the London corporation, similar to that of 1730, set up by New York. Nay, sir John Davis, in speaking of this charter, calls it *a grant of the river Thames*, to the corporation of London. But it was soon discovered, that even a *general grant of the river*, and of the *supervisorship*, did not pass the river itself, and the corporation were obliged to surrender the grant, and purchase another. These are the words of the reporter: "The city of London, by a charter from the king, *hath the river Thames granted to them*, but because it was conceived that *the soil and ground of the river did not pass* by that grant, they purchased another charter, by which the king granted to them, *solum et fundam*, the soil and bottom of the said river, by force of which grant, the city, to this day, receives rent of those who fix posts, or make wharves, or other edifices, *on the soil of the river.*"

This is, without doubt, the law, and the case is expressly in point. It is founded on a known and well established axiom of the common law, "that the king's grants shall pass nothing by implication." This rule was laid down, and acted upon, as the true and ancient rule in the great case of the royal fishery, on the river Banne, in Ireland, in the reign of queen Elizabeth. Davis gives us the third resolution of the court, thus: "It was resolved, that no part of the royal fishery, passed *by the grant of the land adjoining, and by the general grant of all fisheries*, for this royal fishery was not appurtenant to the land, but a fishery in gross, and parcel of the inheritance of the crown, by itself; and general words do not pass *such special royalties, as belong to the king, by his prerogative; for the king's grant shall pass nothing by implication.*" Nor would this supervisorship of the river, in this case, be evidence, even of actual possession of the whole river. It was about the same time, that the corporation of Bergen asserted their supposed rights to the river, under their grant from the proprietors, by appointing "water bailiffs;" who also had granted to them the supervisorship of the waters, from the western shore to the deep waters of the channel. As water bailiffs, it was made their duty to apprehend offenders, on those waters: and, in the execution of their office, they did apprehend men from the *colony of New York*, fishing on the flats.

In the year 1721, the proprietor of Pennsylvania claimed, either the whole, or a part of the river Delaware, before the lords comons.

sioners of trade and plantations; a board, created in England, to receive, and report to the king and council, in all cases of limits and boundary, arising in the colonies. This tribunal referred the claim to the king's attorney and solicitor general, Sir Robert Raymond, afterwards chief justice of England, and Sir Philip York, afterwards lord chancellor Hardwick. These great law officers of the crown, reported, that having heard what was alleged by the council, for the proprietor of Pennsylvania, and having examined the grants of New Jersey and Pennsylvania, they were of opinion, *that no part of the Delaware river, or the islands lying therein, were within the granting words of the patents and grants, but that the right to the same still remained in the crown.*

Upon the whole, it is manifest, that New Jersey always claimed, used and possessed the one half at least, of the dividing waters; and if, upon the true construction of the grants, the said waters did not pass, they remained in the crown at the era of the American revolution.

Then the remaining inquiry is on whom they devolved in consequence of that great event. The answer which we give, is, that the ownership and jurisdiction of, and over these waters, became vested in the two states, between which they flow, each having title on her own shores, and to the *filum aquæ*, or channel of the waters. The principles already established, conduct us at once to this result; for if these waters belonged to the duke of York, when he became king, and were by that event re-annexed to the crown, by his accession thereto; or if they did not pass by the patent to him, but remained always in the crown, and continued so until the revolution, then it is but a case of conquest by joint arms, and the cession and release of the crown of England, contained in the treaty of peace, of all territorial rights, would enure to the common and equal benefit of the two states, of which the river was the boundary, and which had been always in the possession thereof, and had, time out of mind, used and occupied the waters for all the purposes to which such waters can be applied. In such a case, each of the said states is entitled to one half of the dividing waters from its own shore, unless one could shew a prior and better title to the whole. We have already shewn, that these waters were no parts of the territory of the province of New York.—Neither the king, nor the duke, granted the same to that colony, nor had it ever any exclusive possession.

But the duke of York did grant to New Jersey the use of these waters, for all the purposes for which they could be used, and possession had followed and accompanied the grant. Even the residue of the waters not granted to New Jersey, would not have resulted to the state of New York, at the end of the war, without the aid of this principle; *because they were no part of her former territory*, but part of the domain of the crown, merely flowing between the two states. It cannot be justly alleged or maintained,

that the state of New York is entitled to all the property, franchises and privileges, which remained in the duke, after his conveyances to the proprietors of New Jersey. All these, the remaining regalia of the duke, reverted to the crown of England. New York acquired by the revolution, only the territory *which belonged to the colony*. She did not, and could not legally acquire more than one half of those waters which remained in the crown, and flowed between her and the State of New Jersey. Before the revolution, the actual use of the waters was common to the people of both colonies, then subjects of the king. The king, by his agent, or water bailiff, was in possession for the benefit of his people. The only rights on these waters which did not belong to the crown, were such as the duke had granted away before he became king. He had granted to New Jersey, as we have shewn, all waters leading unto her territory, for the purposes "of navigation, free trade, fishing, or otherwise." But he had made no grant to his colony of New York of any part thereof. He retained them in his own hands. Hence, it is manifest, that New Jersey had a better title to the half which she claims before the revolution, than New York had to the other half, and the revolution has fully confirmed and established it. New Jersey had grants, use and possession. New York had nothing more than such a general use, as the subjects of the same king must necessarily have of the waters appertaining to his crown.

In the case of Corfield and Carral, decided in the Circuit Court of the United States, for the Pennsylvania district, a similar question arose. The State of New Jersey had by legislative act, undertaken to regulate the fisheries in the bay of Delaware. The right to pass this statute was controverted, and the old grants to and from the duke of York, were before the court for consideration. On the 6th of August, 1680, the duke made a deed of confirmation of West Jersey, to Penn, Byllinge, and others, of the same purport and tenor, as that which he afterwards made to the twenty-four proprietors of East Jersey; in which we find the same additional words of grant, to be found in the last mentioned conveyance, namely, "and also the free use of all bays, rivers, and waters leading unto, or lying between the said premises, or any part thereof, for the purposes of navigation, free trade, fishing, &c."

It is to be remembered, that there is a most important diversity between the claim of East Jersey, against New York, to one half of the dividing waters, and claim of West Jersey to one half of the bay and river Delaware: in this, that the king's grant to the duke makes this bay and river his western boundary, running him up the eastern shores thereof, to the most northerly point of that river, so that no part of this bay and river is included in the words of the grant, according to the opinion of the attorney and solicitor general of England, before recited. Judge Washington, in his comment on these grants, says, "in this state of things, the revolution was conducted to a successful issue, when his Britannic majesty relinquished all claims, not only to the government, but to his proprie-

tary and territorial rights to the same. The right of the crown to the bay, and the river Delaware, being thus extinguished, *it would seem to follow, that the right claimed by New Jersey, in those waters, was thereby confirmed; unless another state could shew a better title.* Whether the claim of New Jersey extended to the *middle of the bay*, as we see it did, by the compact with Pennsylvania, to the *middle of the river*, is a question we have no means of solving, but that the proprietors and inhabitants *made use of the bay*, both for navigation and fishing, can hardly admit of a doubt. *This right, is indeed, expressly granted by the duke, by the grant of the 6th August, 1680.* It contains a grant, not only of all bays and rivers, to the granted premises belonging, but also the *"free use of all bays and rivers, leading unto the granted premises, for navigation, free trade, fishing, or otherwise."* *The only objection which could have been opposed to those acts of ownership, under this grant, was, that the duke himself, had no title to the bay, and river Delaware, under the royal grant to him.* But the inhabitants enjoyed those privileges. *The use of the bay and river, amounted to an appropriation of the water so used, (Vattel lib. 1, ch. 22, sec. 266,) and this title became indefeasible by the treaty of peace, except as against some other state having a better title."*

These are the sentiments of this distinguished jurist, and surely, if the *mere use* of the waters of the Delaware bay, under a grant *which the duke had no right to make*, was such an appropriation of the waters, as was *ripened into an indefeasible title by the treaty of peace*; much more so, must the same use of the waters, between New Jersey and New York, which unquestionably did pass *by the king's grant to the duke*. Pennsylvania acted on this principle, and from a sense of justice, and a conviction of the equitable claim of New Jersey, to one half of the Delaware, divided with her upon the most liberal terms.

Upon some, or all these grounds, we think that the claim set up by the Legislature of New Jersey, to one half of the dividing waters, is fully sustained, both on the principles of municipal and public law. The great principles of justice, and equity too, which should govern in contests of boundary and limits, between independent and friendly states, come in, in aid of the legal title.

To the acquisition of a full property in these waters, New Jersey contributed her full proportion of blood and treasure. In consequence of her restricted northern boundary, she obtained not an acre of the vast territory which was divided among the states after the revolution. New York gained by it *a mighty empire*, and now, in her strength, she attempts to make us dependent on her for the common privileges of the waters which wash our shores, and that in the face of solemn grants and conventions, expressly conveying those privileges, upon the faith of which, New Jersey was first colonized and settled by our ancestors.

OF STATEN ISLAND.

The right of New Jersey to Staten Island, and the small islands contiguous, rests upon the plain terms, and true import of the original grants before cited. Staten Island, Long, or Nassau Island, and Manhitas or Manhattan Island, were all well known by these names before the making of those grants. Long and Manhattan Islands, belong by their natural positions, to the territory on the east of the Hudson, and Staten Island manifestly to that on the west of that river. A bare inspection of the map therefore, shews that "the tract of land lying and being to the westward of Long Island," necessarily includes Staten Island. Had it been intended to exclude Staten Island from the grant to Berkley and Carteret, it would have been named, as well as the other islands, and the grant would have been of "the tract of land lying and to the westward of *Staten Island* and Manhitas Island." The entrance into the North river, through the Narrows, was well known to be along the western shores of Long and Manhattan Islands, and was much more likely to be assumed as the boundary between two states, designed to occupy the opposite banks of that noble river, than a narrow circuitous channel, not navigable throughout by vessels of burthen. And however that may have been, we think that the terms of the grant, are too plain to admit of more than one interpretation, without doing them great and unnecessary violence.

The subsequent words of description, "bounded on the east, part by the main sea, and part by Hudson's river," appear to us not to conflict with, but rather to confirm this construction, and equally so, whether the Hudson be considered as properly commencing at the Narrows, or at its confluence with the East river. The waters between Staten Island and the main land, are not a part of the river Hudson, nor are they what is technically meant by the term "main sea." They are in fact, rivers and bays, through which the waters of the Hackensack, Passaic, and Raritan, flow into the main ocean. The grants are drawn up with great technical precision, and no doubt by eminent conveyancers, under the inspection of the law officers of the crown.

The language employed, should therefore be understood, according to its true legal import. But the waters in question are not what is called "main sea," either in legal, or in common language, and were never so designated. A part of them was called by the Dutch, *Kill Van Kull*, or river of the bay, and a part *Achter Kull*, or Black Bay, since corrupted to Arthur Cul's Bay. To the west of the Kills, the Sound is described in the Indian deed, to the Elizabethtown people, made October 28th, 1661, as "the *river* that parts Staten Island and the main." Governor Nichols, in his confirmation of that deed, made the ensuing December, it is true, changes the word "river to sea," whether *ex-industria*, or accidentally, can only be conjectured. Be that as it may, there is a well known distinction in legal and in common language, between

the expressions *sea* and *main sea*. The Monmouth patent, granted by Nichols, April 8th, 1665, describes the land granted, as "beginning at a certain place, commonly called, or known by the name of Sandy Point, and so running along the *bay*, west north west, till it comes to the mouth of the Raritan river," &c. No grant, or geographical description, known to us, designates any part of the waters between Staten Island and the main land, as the "main sea," nor can we persuade ourselves, that they are intended by this expression, in the grants of the duke of York. If the phrase was not meant, as we suppose, to be synonymous with main ocean; the arm of the sea, from the Narrows to the confluence of the North and East rivers, is much more likely to have been intended, and much better answers the description, than a narrow and shallow Sound. Notwithstanding the plain import of the grants, it is unquestionable, that New York has possessed Staten Island, and the other small islands, from the first organization of her government. Had this possession been undisputed, time might have ripened it unto an undisputed title. But New Jersey has always protested against it, and embraced every fit opportunity of asserting the superior validity of her claim, and of endeavoring to obtain possession.

A careful examination of the history of the disputes, between the two states, respecting their boundaries, will fully shew this, and will serve also to demonstrate, that the early possession of New York, was not owing to a contemporaneous construction of the grants, satisfactory to the parties concerned, but is explained by other circumstances. The long continued possession then, having been wrongful from the first, and always resisted, the lapse of time has served only to increase the injury. If it were conceded that possession, under such circumstances, could establish a right, surely that right must be confined to the strict limits of the possession — Now, the waters which separate Staten Island, from the main land are not, and never have been, included within the limits of Richmond county, nor are they treated by any law of New York, as within her jurisdiction. On the contrary, a part of them at least, has always been under the exclusive jurisdiction of New Jersey. Colonel Robert Hunter, the governor of both states, on the 4th of August, 1718, granted a charter to Perth Amboy, under the great seal of the province of New Jersey, by which he fixes the bounds of the city, at low water, on the Staten Island side of the Sound, without restriction, and without the intimation of a doubt, that the limits of the province extended so far. Under this charter, Perth Amboy, was a port of entry, under the king of England. It was declared a free port by the State of New Jersey, in 1784, and so continued until the adoption of the federal constitution, and has been a port of entry ever since, under the act of Congress; and the municipal authority of the corporation, has always been exercised over the waters contiguous. The waters of the Sound and

Kill Van Kull, have never been claimed by New York, and this fact is admitted by the commissioners of New York, in the correspondence of 1807.



In addition to the article under the first head, it may be remarked, that in the correspondence between the commissioners, on the part of the two states, in 1807, it is asserted, by the commissioners of New York, "that from their earliest recollection, there has always been a reputation, or understanding, that the whole of the waters of the river Hudson, and of the bay between Staten Island and Long Island, were within the actual jurisdiction of New York;" though there was "no precise reputation, or understanding, either way, whether such jurisdiction extended to high water mark, or was confined to low water mark, on the shore of New Jersey. It is admitted, however, in the same breath, "that the citizens of New York and New Jersey, had a free and common use equally of the waters in question, to take fish within the same, and for every other purpose." The understanding of actual jurisdiction asserted, is contradicted by the fact of use and occupation by New Jersey; and it appears from this admission, that the people of New Jersey have always, in the words of the grant, from the duke of York to the twenty-four proprietors, in 1682, enjoyed "the free use of all bays, rivers, and waters leading unto, or lying within the province, for navigation, free trade, fishing, or otherwise," and that this included the North or Hudson river among the rest. They have, on the Hudson river, from Staten Island northward, and directly opposite to the city of New York, built wharves, extending far beyond low water mark, established ferries, and thus occupied the waters; as also by fishing with seines, sykes and weirs, without interruption, and in various other ways, claimed and exercised acts of ownership in and over the waters in question.

After the adoption of the federal constitution, Congress, on the 4th August, 1790, passed the act dividing the states into districts, for the collection of revenue, &c. in which they enact, "that the district of the city of New York shall include such part of the coasts, rivers, bays, and harbors of the said state, not included in the district of Sagg Harbor." And they enact, also, "that the district of Perth Amboy, shall comprehend all that part of New Jersey known by the name of East New Jersey, (that part excepted which is included in the district of Burlington) together with all the waters thereof, heretofore within the jurisdiction of said state; in which district, the towns, or landing places, of New Brunswick, Middletown Point, Elizabethtown, and Newark, shall be ports of delivery, and a collector, for the district, shall be appointed, to reside at Perth Amboy." Under this act, all vessels belonging on the west side of the Hudson river, south of forty-one degrees of latitude, were enrolled and licensed at Perth Amboy, as belonging to "waters, therefore, within the jurisdiction of New Jersey," by

which words the jurisdiction of that part of the Hudson, or North river, was assigned to the collector of Perth Amboy, in New Jersey. By another act of Congress, passed 8th March, 1806, it is enacted, "that the town, or landing place of New Jersey, shall be a port of delivery, to be annexed to the district of Perth Amboy, and shall be subject to the same regulations and restrictions, as other ports of delivery, in the United States."

After the passage of this act, vessels bound to and from foreign ports, laded and unladed, at Jersey, clearing and entering at Perth Amboy, and vessels from New York, merely crossing the North river, cleared at New York for Jersey, entered at the collector's office, at Perth Amboy, and under his clearance sailed from Jersey to foreign ports. It thus appears, that by the act of 1790, giving to the collector of New York jurisdiction over all the coasts, rivers, bays, and harbors of the said state, no jurisdiction passed, or was claimed of the waters on the west side of the Hudson, contiguous to New Jersey, while by the same act, the assignment to the collector of Perth Amboy, of all the waters theretofore, within the jurisdiction of New Jersey, passed the control of those waters as such, and as such they were occupied without opposition.

As the port of Jersey was twenty-five or thirty miles distant from Perth Amboy, and great inconvenience was thereby occasioned in entering and clearing vessels, an application was made to Congress, to make Jersey a port of entry. This was opposed by the Secretary of the Navy, as being too near New York; and by his suggestion, a plan was adopted to annex Jersey to the port of New York. This plan being first sanctioned by express consent of the State of New Jersey, manifested by a resolution of the legislature, directed to her senators and representatives in Congress, an act was passed by Congress, March 2, 1811, by which it is enacted, "that all that part of the State of New Jersey, which lies north and east of Elizabethtown and Staten Island, be, and the same is hereby annexed to the district of New York; that an assistant collector, to be appointed, and commissioned by the President of the United States, shall reside at the town of Jersey, who shall have power to enter and clear vessels, in like manner as the collector of New York is authorized to do, but such assistant collector, shall, nevertheless, act in conformity to such instructions and regulations, as he shall, from time to time, receive from the collector of New York." Under this act, the control over the waters of the Hudson, previously exercised by the collector of the port of Perth Amboy as part of New Jersey, passed to the control of the collector of New York, and his assistant at Jersey. The words of the acts of 1790, 1806, and 1811, and the proceedings and practice under them fully sustain the fact, that before the year 1790, and since that time, New Jersey possessed jurisdiction over the waters of the Hudson, opposite her shores. By the last act for collection of revenue on imports and tonnage, and by consent of New Jersey, the jurisdiction is changed, but is changed for no other purpose.

Which message was read, and with the accompanying report, of the New Jersey Commissioners, and the statement of the merits of the controversy existing between the two states, of New Jersey and New York,

Was ordered to lie on the table.

Mr. Carson presented the memorial of Charles Bryan, of the county of Burlington, complaining of the official conduct of Isaac Hilliard, a Justice of the Peace, of the said county, and praying that he may be impeached.

Which memorial was read, and committed to Messrs. Carson, Stryker, and Lloyd.

Mr. Green, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An additional supplement to the act entitled An act to incorporate the Georgetown and Franklin Turnpike Company, passed the 15th day of February, 1816.

Which bill was read, and ordered a second reading.

Mr. Mickle, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to incorporate the Gloucester Manufacturing Company.

Which bill was read, and ordered a second reading.

The bill from Council, entitled An act to incorporate the Columbian Steam Boat Company,

Was read a second time, and postponed.

The bill, entitled A further supplement to an act entitled An act to incorporate the Orange and Sussex Canal Company, passed the 10th day of December, 1823,

Was read a second time, gone through with by section, and ordered to be engrossed.

The House took up the bill, entitled An act to provide for the improvement of the internal navigation of the State.

Which bill was read a second time, gone through with by section, and ordered to be engrossed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have agreed to the amendments made by the House, to the bill from Council, entitled An act to explain an act entitled An act for the better regulating of the fishing, in Newark bay, and in the Passaic and Hackensack rivers; and have caused said bill to be re-engrossed.

The engrossed bill, entitled An act to incorporate the Mechanics' Bank of Orange,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Armstrong.
Carson.

Messrs. Chandler.
Christie.

Messrs. Coles,
Day,
Dodd,
Earl,
Halsted,
Kirkpatrick,
Lloyd,
Mickle,

Messrs. Mills,
Munson,
Parker,
Robbins,
Snowhill,
Terhune,
Thompson,
Van Riper,

Wall—21.

NAYS.

Messrs. Bec,
Capner,
Clifford,
Emly,
Ewing, (Speaker)
Farlee,
Foster,
Freas,
Hopping,

Messrs. Marsh,
Mott,
Porter,
Seeley,
Sinnickson,
Stryker,
Townsend,
Toy,
Vroom,

West—19.

The House adjourned to ten o'clock to morrow morning.



WEDNESDAY, February 6, 1828.

Ten o'clock the House met.

Mr. Freas presented the petition of several persons, praying to be incorporated, under the name of the "Salem and Philadelphia Steam Boat Company."

Which petition was read, and committed to Messrs. Freas, Mickle, and Carson.

Mr. Mickle presented the memorial of several persons, in favor of a rail-way, from Camden to South Amboy.

Which memorial was ordered to lie on the table.

Mr. Halsted presented the memorial of the convention of delegates, assembled at Trenton, on the 22d of August, 1827, on the subject of revising and amending the constitution of New Jersey.

Which memorial was committed to Messrs. Halsted, Jeffers, Capner, Christie, and Armstrong.

Mr. Parker, from the committee to whom was referred the report of the Attorney General, respecting the President, Directors, and Company of the Jersey Bank, the Hoboken Banking and Grazing Company, and the Franklin Bank of New Jersey,

Reported a bill, entitled An act to repeal the act entitled An act to incorporate the Franklin Bank of New Jersey.

Which was read, ordered a second reading, and to be printed.

Mr. Parker also submitted the following resolution:

Resolved, By the Council and General Assembly of this State, that the Attorney General be, and he is hereby requested to take such legal measures, against the President, Directors, and Company of the Jersey Bank, and also against the Hoboken Banking and Grazing Company, as, in his opinion, may be necessary, for the purpose of judicially investigating the legality of their proceedings, and of forfeiting their charters, respectively.

Which was ordered to lie on the table.

Mr. Earl, from the committee to whom was referred the petition of Jonathan Cawley, and others, complaining of the official conduct of William Harrison, &c.

The petition, and accompanying documents, were re-committed, and the committee authorized to send for persons and papers.

Mr. Robbins, with leave, presented a bill, entitled An act to assist the inhabitants of the township of Pahaquarry, and Knowlton, in the county of Warren, to complete that part of a public highway, in the said townships, which crosses the Blue Mountain, at the Water Gap.

Which bill was read, ordered a second reading, and to be printed.

Mr. Prall, the stated Clerk of the House, being absent, on necessary business, James S. Green was appointed Clerk, pro tem.

The bill from Council, entitled An act to incorporate the Farmers and Mechanics' Bank, at Rahway,

Was read a third time.

On the question, shall this bill, as amended, pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,
Carson,
Chandler,
Christie.
Coles,
Day,
Dodd,
Earl,
Halsted,
Hopping,
Jeffers,
Kirkpatrick,

Messrs. Lloyd,
Mickle,
Mills,
Munson.
Parker,
Robbins,
Snowhill,
Stryker,
Terhune,
Thompson.
Toy,
Van Riper.

West—25.

NAYS.

Messrs. Bee,
Capner,

Messrs. Clifford,
Emly,

Messrs. Ewing, Speaker

Farlee,

Foster,

Freas,

Green,

Messrs. Marsh,

Mott.

Porter,

Seeley,

Sinnickson,

Townsend—15.

Ordered, That the Speaker sign the same.*Ordered*, That the Clerk carry said bill to Council, and inform them that it has been passed by this House, with amendments, to which amendments they request their concurrence.

The engrossed bill, entitled An act for the relief of Aaron Hassert,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act authorizing the commissioners therein named, to convey certain real estate to Wollaston Redman, in trust, for the heirs of Jacob Raum, esq. deceased,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to enable the owners of certain tide meadows, in the township of Nottingham, and county of Burlington, to improve the same.

Was read a third time, and compared.

On the question, shall this bill pass.

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstr6ng,

Bee,

Capner,

Carson,

Chandler,

Christie,

Clifford,

Coles,

Day,

Earl,

Emly,

Ewing, (Speaker.)

Farlee,

Foster,

Freas,

Green,

Hopping,

Jeffers,

Messrs. Kirkpatrick,

Marsh,

Mickle,

Mills,

Mott,

Munson,

Parker,

Porter,

Robbins,

Seeley,

Sinnickson,

Snowhill,

Stryker,

Terhune,

Thompson,

Townsend,

Toy,

Van Riper,

West—37.

NAY.

Mr. Dodd—1.

Ordered, That the Speaker sign the same.The engrossed bill, entitled An act to divorce Mary Hamilton,
from her husband, William Hamilton,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Bee,
Capner,
Carson,
Clifford,
Coles,
Day,
Dodd,
Earl,
Emly,
Ewing, (Speaker,)
Farlee,
Foster,
Freas.

Messrs. Hopping,
Kirkpatrick,
Lloyd,
Marsh,
Mickle,
Mills,
Mott,
Porter,
Sinnickson,
Terhune,
Thompson,
Toy,
Van Riper,

West—27.

NAYS.

Messrs. Armstrong,
Chandler,
Christie,
Green,
Halsted,
Munson,

Messrs. Parker,
Robbins,
Seeley,
Stryker,
Townsend,
Woodhull—12.

Ordered, That the Speaker sign the same.*Ordered*, That the Clerk carry said bill to Council, inform them
that it has been passed by this House, and request their concurrence
therein.The bill, from Council, entitled An act to divorce Sarah Goram,
from her husband, Eliezar Goram,

Was read a third time.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Capner,
Carson,
Christie,
Clifford,
Coles,
Earl,

Messrs. Ewing, (Speaker,)
Farlee,
Foster,
Freas,
Hopping,
Jeffers,
Kirkpatrick.

Messrs. Mickle,
Mills,
Mott,
Porter,
Seeley,
Sinnickson,

Messrs. Snowhill,
Terhune,
Thompson,
Townsend,
Toy,
Van Riper,

West—27.

NAYS.

Messrs. Coles,
Day,
Green,
Halsted,

Messes. Munson,
Parker,
Robbins,
Stryker,

Woodhull—9.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council of the passage of the same.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

The resolution offered this morning, on the report of the Attorney General,

Was called up, and agreed to.

And the Clerk directed to inform Council of its adoption, and request their concurrence therein.

The bill, entitled An act relative to the navigation of Great Timber creek, in the county of Gloucester,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled An act to authorize John S. Stiers, and John Thompson, administrators with the will annexed, of Michael Cole, deceased, to sell and convey the real estate of Michael Cole, deceased,

Was read a second time, considered by section, and ordered to be engrossed.

A message from Council, by their Secretary, informed the House, that Council have passed the bill from the House of Assembly, entitled An act authorising the owners and possessors of land, lying on Belcher's creek, to drain the same, without amendment.

Also, that Council have passed a bill, entitled An act to incorporate the Newark Savings Fund Association, and

A bill, entitled A supplement to the act entitled An act to provide for the publication and distribution of the laws and proceedings of the Legislature of this State. and the distribution of the laws of

the United States, passed the 7th day of June, one thousand eight hundred and twenty.

To which bill, they request the concurrence of the House of Assembly.

Which bills were read, and ordered a second reading.

Mr. Dodd offered the following resolution :

Resolved, That the message of his excellency, the Governor, in relation to the controversy with the state of New York, respecting the eastern boundary of this State, with the report of the commissioners, and the accompanying documents, be referred to a joint committee.

Which resolution was agreed to, and committed to Messrs. Dodd, Woodhull, Seeley, Marsh, and Terhune, the

Clerk directed to inform Council of its adoption, and request their concurrence, and the appointment of a committee, on their part.

Mr. Dodd, with leave, presented a bill, entitled An act to exempt students of academies from militia duty.

Which bill was read, and ordered a second reading.

The bill, entitled An act to incorporate the Camden and Amboy Rail Road Company,

Was taken up, and while under consideration,

The House adjourned to ten o'clock to-morrow morning.



THURSDAY, February 7, 1828.

Ten o'clock the House met.

Mr. Capner presented the petitions of several citizens of the State, in favor of the Delaware and Raritan Canal, and

Mr. Robbins presented a remonstrance against the State constructing said canal.

Which petitions and remonstrance were ordered to lie on the table.

Mr. Christie presented the petition of Robert L. Stevens, and Joline Hone, praying for a law to erect a rail road across the State, from the Delaware to the Raritan.

Which petition was read, and committed to Messrs. Christie, Dodd, and Freas.

Mr. Freas, from the committee on that subject, reported a bill, entitled An act, to incorporate the Salem and Philadelphia Steam Boat Company.

Which bill was read, and ordered to a second reading.

Mr. Green, from the committee to whom was referred the memorial and representation of Ebenezer Tucker, and others, complaining of the official conduct of Eyre Oliphant, esq. one of the Justices of the Peace, in and for the county of Burlington,

Reported, That, after a careful examination of the papers and affidavits, accompanying the memorial, they are of the opinion, that nothing is disclosed requiring the interference of the Legislature, however exceptionable the conduct of the said Eyre Oliphant, esquire, may have been, of which the committee do not profess to judge; yet, in his official capacity, there is no appearance of wrong, but what may be fairly attributed to error in judgement. The charges brought against the said Eyre Oliphant, esquire, can be better and more fully investigated before the tribunals of justice of the county of Burlington, than before the Legislature.

The committee beg, therefore, to be discharged from the further consideration of the subject.

Which report was agreed to, and the committee discharged, accordingly.

On motion of Mr. Marsh, the vote on the bill, entitled An act to incorporate the Mechanics' Bank of Orange, which had been negatively,

Was called up, for re-consideration.

On the question of re-considering, the vote was as follows :

YEAS.

Messrs. Armstrong,
Carson,
Chandler,
Christie,
Coles,
Dodd,
Earl,
Green,
Halsted.
Hopping,
Kirkpatrick,
Lloyd,
Marsh,

Messrs. Mickle,
Mills,
Mott,
Munson,
Parker,
Robbins,
Snowhill,
Stryker,
Terhune.
Toy,
Van Riper.
West,
Woodhill—26.

NAYS.

Messrs. Bee,
Capner,
Clifford,
Emly,
Ewing, (Speaker,)

Messrs. Farlee,
Foster,
Porter,
Seeley,
Sinnickson.

Townsend—11.

So the House refused to re-consider the vote, on the said bill—it requiring two thirds of the whole House, according to the decision of the Speaker, to effect a re-consideration.

A message from Council. by Mr. Coleman, their Secretary, in-

formed the House, that the Council have passed a bill, entitled An act to incorporate the Bloomfield Manufacturing Company.

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading.

And the message informed, that the Council have passed the bill from the House of Assembly, entitled An act to authorize commissioners to sell and convey part of the real estate of William Hall, deceased,

Without amendment.

The bill, entitled An act to authorize William Buzby, to sell and convey the real estate of Jacob Hollingshead, late of the county of Burlington, deceased,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled An act for the improvement of the navigation of Elizabethtown creek,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled An act to incorporate the Camden and Anboy Rail Road Company,

Was called up, and re-committed.

The engrossed bill, entitled An act to authorize John S. Stiers, and John Thompson, administrators with the will annexed, of Michael Cole, deceased, to sell and convey the real estate of said deceased,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act relative to the navigation of Great Timber creek, in the county of Gloucester,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Bee,

Capner,

Chandler,

Christie,

Clifford,

Coles,

Dodd,

Earl,

Emly,

Ewing, (Speaker,

Foster,

Freas.

Messrs. Green,

Halsted,

Kirkpatrick,

Lloyd,

Marsh,

Mickle,

Mills,

Mott,

Munson,

Parker,

Porter,

Robbins,

Messrs. Secley,
Sinnickson,
Snowhill,
Stryker,
Terhune,

Messrs. Thompson,
Townsend,
Toy,
Van Riper,
West,

Woodhull—35.

NAYS.

Mr. Armstrong,

Mr. Carson—2.

Ordered; That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, and inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met

Mr. Christie, of Bergen, and Mr. Dodd, of Essex, severally presented petitions from inhabitants of those counties, in favor of the erection of dams across the Passaic river, and

Mr. Christie, a remonstrance against the same.

Which petitions and remonstrance were ordered to lie on the table.

Mr. Robbins presented memorials from inhabitants of Sussex and Warren counties, praying for assistance to complete a road over the Blue Mountains, at the Water Gap.

Which memorials were ordered to lie on the table.

Mr. Mills, from the committee on that subject,

Reported a bill, entitled An act to alter and amend an act entitled An act to incorporate trustees of religious societies, passed the 12th day of June, 1799.

Which bill was read, ordered a second reading, and to be printed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled An act to authorize George Opdycke, administrator with the will annexed, of Moses Warford, deceased, to sell and convey the real estate of said deceased,

Without amendment.

And the message informed, that the Council have agreed to the resolution from the House of Assembly, on the message of the Governor, in relation to the controversy with the state of New York, respecting the eastern boundary of this State, &c. and have appointed Messrs. Newbold and Howell, a correspondent committee, on their part; and the message further informed, that the Council have

agreed to the amendments, made by the House of Assembly, to the bill from the Council, entitled An act to incorporate the Farmers and Mechanics' Bank of Rahway.

And have caused said bill to be re-engrossed.

The bill, entitled An act relating to the lands at Paterson, belonging to this State,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled An act for the relief of the State Bank, at Trenton,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill from Council, entitled A supplement to the act entitled An act to provide for the publication and distribution of the laws and proceedings of the Legislature of this State, and the distribution of the laws of the United States, passed 7th June, 1820,

Was read a second time, gone through with by section, and ordered a third reading.

The engrossed bill, entitled An act to authorize the board of chosen freeholders, of the county of Burlington, to remove or close the draw in the bridge over Crosswick's creek, in said county,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The re-engrossed bill, entitled An act to incorporate a part of the township of Newton, in the county of Gloucester,

Was read and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that the amendments made thereto, by Council, have been agreed to by this House, and that they have caused said bill to be re-engrossed.

The House adjourned to ten o'clock to-morrow morning.



FRIDAY, February 8, 1828.

Ten o'clock the House met.

Mr. Snowhill presented the petition of Sarah Kent, of Middlesex.

sex county, praying to be divorced from her husband, Amziati Kent.

Which petition was read, and committed to Messrs. Snowhill, Coles, and Mickle.

Mr. Halsted presented the remonstrance of Benjamin Zabriskie, of Bergen county, against the dam proposed to be erected across the Passaic river, by Messrs. Van Winkle and Van Blarcom.

Which remonstrance was read, and ordered to lie on the table.

Mr. Parker, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to authorize a bridge over the canal between South river and Raritan river.

Which bill was read, and ordered a second reading.

Mr. Christie, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to incorporate the New Jersey Rail Road Company.

Which bill was read, and ordered a second reading.

Mr. Woodhull, from the committee to whom was referred the several bills and applications for extending the charters of the State Banks, in New Jersey,

Reported the same without amendment, and also

Reported, as a substitute, a bill, entitled An act to extend the act incorporating the State Banks, in New Jersey.

Which bill was read, and ordered a second reading.

Mr. Dodd, from the joint committee of Council and Assembly, to whom was referred the Governor's message, and the documents on the subject of the controversy with New York, relating to the eastern boundary of this State,

Reported the following resolution, in part :

Resolved, That five hundred copies of the message of his excellency the Governor, with the report of the commissioners appointed on the part of this State, to settle the questions of territory and jurisdiction, in dispute with the state of New York, and the documents relative thereto, be printed, under the direction of a joint committee of the Council and Assembly.

Which report and resolution were read, and agreed to, and Messrs. Woodhull, Seeley, and Green, accordingly appointed, on the part of this House.

Ordered, That the Clerk inform Council of the appointment of the above named committee, and request the Council, on their part, to appoint a correspondent committee.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the following bills from the House of Assembly, viz:

The bill, entitled An act authorizing the commissioners therein named, to convey certain real estate to Wollaston Redman, in trust, for the heirs of Jacob Raum, esq. deceased;

The bill, entitled An act to authorize commissioners to sell and convey part of the real estate of William Hall, deceased ;

And the bill, entitled An act to enable the owners of certain meadows, in the township of Nottingham, and the county of Burlington, to improve the same,

Respectively without amendment.

Mr. Mickle, from the committee to whom was re-committed the bill, entitled An act to incorporate the Camden and Amboy Rail Road Company,

Reported the same with amendments.

Which amendments were agreed to, and the bill gone through with by section, and ordered to be engrossed.

The engrossed bill, entitled An act to authorize William Buzby, to sell and convey real estate of Jacob Hollingshead, late of the county of Burlington, deceased,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry the said bill to Council, inform them that it had been passed by this House, and request their concurrence therein.

The bill from Council, entitled A supplement to the act entitled An act to provide for the publication and distribution of the laws and proceedings of the Legislature of this State, and the distribution of the laws of the United States,

Was read a third time.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Bee,
Capner,
Carson,
Chandler,
Christie,
Coles,
Dodd,
Freas,
Green,
Halsted,
Hopping,
Lloyd,
Marsh.

Messrs. Mickle,
Mills,
Munson,
Parker,
Porter,
Seeley,
Sinnickson,
Snowhill,
Terhune,
Thompson,
Townsend,
Van Riper,
Vroom,
Webb—28.

NAYS.

Messrs. Clifford,
Earl,
Emly,
Ewing, (Speaker,)

Farlee,
Foster,
Mott,
Robbins,

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council, that the House have passed said bill,

Without amendment.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Terhune presented a remonstrance from John I. Borden, of Bergen county, against the enclosure of a certain tract of woodland, in the township of Saddle River, and county of Bergen.

Which was ordered to lie on the table.

Mr. Parker presented remonstrances against the passing of any laws, authorizing the location of oyster lots and the planting of oysters thereon, in any of the waters of this State.

Which were read, and committed to Messrs. Parker, Freas, and Lloyd.

Mr. Porter, from the committee to whom was referred the petitions and remonstrances on that subject,

Reported a bill, entitled An act to restore the navigation of Woodbury creek, in the county of Gloucester.

Which bill was read, and ordered a second reading.

Mr. Porter, from the committee to whom was re-committed the bill, entitled An act to authorize the chosen freeholders, of the county of Gloucester, to build a draw bridge over Nacott creek, at a place called Port Republic,

Reported said bill with an amendment.

Which amendment was read, and agreed to, the bill gone through with by section, and postponed.

A message from Council, through Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled A supplement to an act authorizing the banking and improving of certain meadows and swamps, in the counties of Cumberland and Cape May,

Without amendment.

The bill, entitled An act to repeal the act entitled An act to incorporate the Franklin Bank of New Jersey, to be located at the city of Jersey, in the county of Bergen,

Was read a second time, gone through with by sections, and ordered to be engrossed.

The bill, entitled An act to incorporate the Raritan Coal Mining Company,

Was read a second time, gone through with by section, and ordered to be engrossed.

The engrossed bill, entitled An act to incorporate the Hunterdon county Mining Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act for the improvement of the navigation of Elizabethtown creek,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,

Bee,

Capner,

Carson,

Chandler,

Christie,

Clifford,

Coles,

Dodd,

Earl,

Emly,

Ewing, (Speaker,)

Farlee,

Foster,

Green,

Halsted,

Messrs. Hopping,

Kirkpatrick,

Lloyd,

Marsh,

Mickle,

Mills,

Mott,

Munson,

Porter,

Robbins,

Seeley,

Snowhill,

Terhune,

Thompson,

Van Riper,

Vroom,

Webb—33.

NAYS.

Messrs. Freas,

Parker,

Messrs. Sinnickson,

Townsend—4.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry the said bills to the Council, inform them that they have been passed by this House, and request their concurrence therein.

The bill, entitled An act for the relief of the stockholders of the late Delaware and Raritan Canal Company,

Was read a second time, and while under consideration, the House adjourned to ten o'clock on Monday morning.

MONDAY, February 11, 1828.

Ten o'clock the House met.

Mr. Emly presented the petition of a number of the inhabitants of Wrightstown, Burlington county and its vicinity, in favor of the act for incorporating the Columbian Steam Boat Company.

Which petition was ordered to lie on the table.

Mr. Seeley, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to authorize the erection of a dam and water works, across Ogden's creek, in the county of Cumberland.

Which bill was read, and ordered a second reading.

Mr. Lloyd, with leave presented a bill, entitled An act to amend an act entitled An act to prevent horse racing, passed February 15, 1811.

Which bill was read, and ordered a second reading.

Mr. Porter, with leave presented a bill, entitled An act appointing commissioners to settle the boundary line, between the county of Gloucester, and the counties of Salem and Cumberland.

Which bill was read, ordered a second reading, and to be printed.

The bill from Council, entitled An act to incorporate the New Jersey Coal Mining Company,

Was read a second time, gone through with by section, and ordered a third reading.

The bill, entitled An act to authorize the enclosing of a tract of woodland, situated in the township of Saddle River, in the county of Bergen,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled An act to repeal certain provisions of the act entitled An act to constitute and make Crosswick's creek, a good and lawful fence, from the place known by the name of Watson's Ferry, down to the mouth of the same, passed June 20, 1765,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled a supplement to the act entitled An act to enable the owners of swamp or meadow ground, to drain the same, and to repeal a law heretofore made for that purpose, passed the 24th day of November, A. D. 1792,

Was read a second time, gone through with by section, and ordered to be engrossed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the

House of Assembly, entitled An act to authorize John S. Stiers and John Thompson, administrators with the will annexed, of Michael Cole, deceased, to sell and convey the real estate of the said deceased.

The bill, entitled An act relative to the navigation of Great Timber Creek, in the county of Gloucester.

The bill entitled, An act to authorize the board of chosen freeholders of the county of Burlington, to remove or close the draw in the bridge over Crosswick's creek, in said county ;

And the bill, entitled An act to authorize William Buzby, to sell and convey the real estate of Jacob Hollingshead, late of the county of Burlington, deceased,

Respectively without amendment.

And the message informed, that the Council have appointed Messrs. Pennington and Polhemus, a committee on their part, to superintend and direct the printing of the message of his excellency the Governor, together with the report of the Commissioners, appointed to settle the controversy with New York, and the documents relative thereto.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Mott, and Mr. Earl, of Burlington, Mr. Carson, and Mr. Snowhill, of Middlesex, Mr. Porter, of Gloucester, and Mr. Kirkpatrick, severally presented petitions from numerous inhabitants of this State, in favor of the bill for incorporating the Columbian Steam Boat Company.

Which were ordered to lie on the table.

Mr. Earl presented a petition of the Washington Canal Company, deprecating the passage of the bill authorizing bridges to be built across said canal.

Which was read, and ordered to lie on the table.

The engrossed bill, entitled An act to provide for the improvement of the internal navigation of the State,

Was called up, and re-committed.

The bill, from Council, entitled An act to incorporate the Columbian Steam Boat Company,

Was read a second time, considered by section, and ordered a third reading.

The bill, from Council, entitled An act to incorporate the Newark Savings Fund Association,

Was read a second time, gone through with by section, and ordered a third reading.

The bill, from Council, entitled An act to divorce Elizabeth Voorhees from her husband, Lucas L. Voorhees,

Was read a second time, with the accompanying documents, considered by section, and ordered a third reading.

The bill, entitled An act to extend the act incorporating the State banks in New Jersey,

Was read a second time, progressed in, and re-committed.

The bill, entitled An act to extend the time of the charter of the State Bank, at Morris,

Was called up, and dismissed.

The bill, entitled An act for the safety of passengers in steam boats and stages,

Was read a second time, gone through with by section, and ordered to be engrossed.

Mr. Wall, from the committee to whom was re-committed the engrossed bill, entitled An act to provide for the improvement of the internal navigation of the State,

Reported the same with amendments.

Which amendments were read, agreed to, and the bill, as amended, ordered to be again engrossed.

The House adjourned to ten o'clock to-morrow morning.



THURSDAY, February 12, 1828.

Ten o'clock the House met.

Mr. Wall presented the petitions of John Carr and Joseph Gray, of Columbia county, Pennsylvania, soldiers of the Jersey line, in the revolutionary war, praying for pensions.

Which petitions were read, and committed to Messrs. Wall, Green, and Bee,

Mr. Carson presented the petition of a number of the inhabitants of this State, praying for a law to authorize a turnpike road from Miser's Hill, in the township of South Brunswick, Middlesex county, to Washington, on the South River.

Which petition was read, and committed to Messrs. Carson, Marsh, and Hopping.

Mr. Dodd presented the petition of Peter Ward, and others, of Paterson, Essex county, owners of certain property on which is erecting a market, praying an act of incorporation.

Which petition was read, and committed to Messrs. Dodd, Emly, and Snowhill.

Mr. Halsted presented the petition of Henry Ziegler, of Essex

county, praying an act of incorporation, for him and his associates, for manufacturing purposes—printing calicoes, &c.

Mr. Halsted also presented the petition of inhabitants of Essex county, in favor of the above application.

Which petitions were read, and committed to Messrs. Halsted, Seeley, and Stryker.

The Speaker laid before the House, the following communication from his excellency the Governor:

EXECUTIVE DEPARTMENT,

Trenton, February 12, 1828.

To the Legislature of the State of New Jersey:

Gentlemen—The accompanying communications, from the executives of the states of Vermont, South Carolina, and Georgia, have been received by me, since your last sitting, and I now lay them before you, for your consideration.

At the particular request of a committee, appointed by a convention of gentlemen, who assembled at this place, on the 22d day of August last, I also communicate a copy of their memorial, on the subject of revising and amending the constitution of New Jersey.

ISAAC H. WILLIAMSON.

Which communication and documents were read, and those parts of said documents, from South Carolina and Georgia, relating to, and opposing the passage of, tariff laws, and denying the constitutionality and expediency of those laws, and appropriation of the public revenue to the purposes of internal improvement, committed to Messrs. Dodd, Parker, Seeley, Jeffers, and Woodhull.

Mr. Christie, from the committee to whom was referred the bill from the Council, entitled An act supplementary to an act entitled An act to incorporate a company to extend the Paterson and Hamburgh turnpikes to the Hudson river, passed the 16th of February, one thousand eight hundred and sixteen,

Reported, That they have had the said bill under consideration, and, having heard the parties, both for and against the propriety of its passage, and the party applying not having given public notice of their intention to apply to the Legislature for said supplemental act, the committee are unanimously of opinion, that the passage of the bill, at this time, would materially interfere with contracts entered into by the said committee and certain individuals and stockholders; and also prejudice and interfere with law suits, now pending, and not yet determined, between the said Company and certain individuals and stockholders—

Therefore, do recommend, that the further consideration of the said bill be postponed to the next session of the Legislature.

February 11, 1828.

Which report was read, and agreed to.

The engrossed bill, entitled An act to provide for the improvement of the internal navigation of the State,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Capner,
Carson,
Christie,
Coles,
Dodd,
Earl,
Farlee,
Green,
Halsted,
Hopping,
Lloyd.

Messrs. Mott,
Munson,
Parker,
Snowhill,
Stryker,
Terhune,
Toy,
Van Riper,
Vroom,
Wall,
West,
Woodhull—24.

NAYS.

Messrs. Bee,
Chandler,
Clifford,
Day,
Emly,
Ewing, (Speaker,)
Foster,
Freas,
Jeffers,

Messrs. Kirkpatrick,
Marsh,
Mickle,
Mills,
Porter,
Robbins,
Seeley,
Sinnickson,
Thompson,

Townsend—19.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry the said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The bill, from Council, entitled An act to incorporate the Columbian Steam Boat Company,

Was read a third time.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Bee,
Carson,
Chandler,
Christie,
Day,
Dodd,
Earl,
Emly,
Ewing, (Speaker,)
Foster.

Messrs. Halsted,
Hopping,
Jeffers,
Lloyd,
Marsh,
Mickle,
Mills,
Mott,
Munson,
Porter.

Messrs. Seeley,
Sinnickson,
Thompson,
Townsend,

Messrs. Toy,
Wall,
West,
Woodhull—28

NAYS.

Messrs. Armstrong,
Capner,
Clifford,
Coles,
Farlee,
Freas,
Green,

Messrs. Kirkpatrick,
Parker,
Robbins,
Snowhill,
Stryker,
Terhune,
Van Riper;

Vroom—15.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council that the House have passed said bill,

Without amendment.

The engrossed bill, entitled An act to incorporate the Camden and Amboy Rail Road Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Bee,
Chandler,
Dodd,
Earl,
Emly,
Ewing, (Speaker),
Foster,
Jeffers,
Lloyd,
Marsh,

Messrs. Mickle,
Mills,
Mott,
Porter,
Seeley,
Sinnickson,
Thompson,
Townsend,
Toy,
Woodhull—20.

NAYS.

Messrs. Armstrong,
Capner,
Christie,
Clifford,
Coles,
Day,
Farlee,
Freas,
Green,
Halsted,

Messrs. Hopping,
Kirkpatrick,
Munson,
Parker,
Robbins,
Stryker,
Terhune,
Van Riper,
Vroom,
Wall,

West—21.

The House adjourned to three o'clock in the afternoon.

Three o'clock the House met.

Mr. Woodhull presented a petition from a number of the inhabitants of Monmouth county, praying that the draw in the bridge over the main branch of North Shrewsbury river, may be widened.

Which petition was read, and committed to Messrs. Woodhull, Foster, and Townsend.

Mr. Porter, with leave, presented a bill, entitled A further supplement to the act establishing a militia system.

Which bill was read, ordered a second reading, and to be printed.

Mr. Jeffers, with leave, presented a bill, entitled A supplement to an act for the more easy partition of lands, held by co-parceners, joint-tenants, and tenants in common.

Which bill was read, ordered a second reading, and to be printed.

Mr. Woodhull, with leave, presented a bill, entitled An act to encourage the raising of money for the education of poor children.

Which bill was read, ordered a second reading, and to be printed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled An act for the improvement of the navigation of Elizabethtown creek ;

And the bill, from the House, entitled An act for the relief of Aaron Hassert,

Without amendment ;

And that the Council have disagreed to the bill from the House, entitled A supplement to an act entitled An act to establish a new township, in the county of Bergen, to be called the township of Lodi ;

And that the Council have passed a bill, entitled An act to authorize the inhabitants of the township of Newark, in the county of Essex, to raise money for the purchase of one or more public burying places ;

And a bill, entitled A supplement to the act entitled An act to incorporate the Somerville Aqueduct Company, passed November 18, 1827,

To which bills, respectively, they request the concurrence of the House of Assembly.

Which bills were severally read, and ordered a second reading.

The engrossed bill, entitled A further supplement to the act entitled An act to incorporate the Orange and Sussex Canal Company, passed the 10th day of December, 1823,

Was called up, and committed to Messrs. Chandler, Stryker, and Clifford.

The engrossed bill, entitled An act to repeal certain provisions in the act entitled An act to constitute and make Crosswick's creek, a good and lawful fence, from the place known by the name of Watson's Ferry, down to the mouth of the same, passed June 20, 1765,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act for the relief of the Mechanics' Insurance Company, in the county of Essex, and of the New Brunswick Insurance Company, in the counties of Somerset and Middlesex,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Chandler,
Christie,
Coles,
Day,
Dodd,
Earl,
Green,
Halsted,
Hopping,
Jeffers,
Kirkpatrick,

Messrs. Lloyd,
Mott,
Munson,
Parker,
Snowhill,
Stryker,
Thompson,
Van Riper,
Vroom,
Wall,
West,
Woodhull—24.

NAYS.

Messrs. Capner,
Clifford,
Emly,
Ewing, (Speaker,)
Farlee,
Foster,
Freas,
Marsh,

Messrs. Mills,
Porter,
Robbins,
Seeley,
Sinnickson,
Terhune,
Townsend,
Toy—16.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled A supplement to the act entitled An act to enable the owners of swamp or meadow ground, to drain the same, and to repeal a law heretofore made for that purpose, passed the 24th day of November, 1792,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Bee,
Capner,
Chandler,
Christie,
Clifford,

Messrs. Coles,
Day,
Dodd,
Earl,
Emly,
Ewing, (Speaker,)

Messrs. Farlee,
Foster,
Freas,
Halsted,
Hopping,
Jeffers,
Kirkpatrick,
Lloyd,
Marsh,
Mickle,
Mills,
Mott,
Munson,
Parker,

Messrs. Porter,
Robbins,
Seeley,
Sinnickson,
Snowhill,
Stryker,
Terhune,
Thompson,
Townsend,
Toy,
Van Riper,
Vroom,
Wall,
West—43.

NAYS.

Mr. Green,

Mr. Woodhull—2.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act for the relief of the State Bank,
at Trenton,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,
Bee,
Capner,
Carson,
Chandler,
Christie,
Clifford,
Coles,
Day,
Dodd,
Earl,
Emly,
Ewing, (Speaker,)
Farlee,
Foster,
Freas,
Green,

Messrs. Halstead,
Hopping,
Jeffers,
Lloyd,
Marsh,
Mickle,
Mott,
Munson,
Porter,
Robbins,
Seeley,
Snowhill,
Terhune,
Townsend,
Toy,
Van Riper,
West,

Woodhull—35.

NAYS.

Messrs. Kirkpatrick,
Mills,
Parker,

Messrs. Sinnickson,
Stryker,
Thompson,

Vroom—7.

Ordered. That the Speaker sign the same.

The engrossed bill, entitled An act relating to the lands at Paterson, belonging to this State,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,

Bee,

Capner,

Carson,

Chandler,

Christie,

Clifford,

Coles,

Day,

Dodd,

Earl,

Emly,

Farlee,

Green,

Halsted,

Messrs. Kirkpatrick,

Lloyd,

Marsh,

Mills,

Mott,

Munson,

Parker,

Robbins,

Snowball,

Stryker,

Thompson,

Van Riper,

Vroom,

Wall,

West.

Woodhull—31.

NAYS.

Messrs. Ewing, (Speaker.)

Foster,

Freas,

Jeffers,

Mickle,

Messrs. Seeley,

Sinnickson,

Terhune,

Townsend.

Toy—10.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to repeal the act entitled An act to incorporate the Franklin Bank of New Jersey, to be located at the city of Jersey, in the county of Bergen,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,

Bee,

Capner,

Chandler,

Clifford,

Coles,

Day,

Earl,

Emly,

Messrs. Farlee,

Foster,

Freas,

Green,

Jeffers,

Kirkpatrick,

Marsh,

Mickle,

Mills,

Messrs. Mott,
Munson,
Parker,
Porter,
Snowhill,

Messrs. Stryker,
Thompson,
Townsend,
Toy,
Van Riper,

Vroom—29.

NAYS.

Messrs. Carson,
Christie,
Ewing, (Speaker,)
Halsted,
Hopping,
Lloyd,

Messrs. Robbins,
Seeley,
Sinnickson,
Terhune,
Wall,
West,

Woodhull—13.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to incorporate the Raritan Coal Mining Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,
Bee,
Capner,
Carson,
Chandler,
Christie,
Clifford,
Coles,
Day,
Emly,
Ewing, (Speaker,)
Farlee,
Freas,
Green,
Halsted,
Hopping,

Messrs. Kirkpatrick,
Lloyd,
Marsh,
Mills,
Mott,
Parker,
Porter,
Seeley,
Sinnickson,
Snowhill,
Stryker,
Terhune,
Van Riper,
Vroom,
Wall,
Woodhull—32.

NAYS.

Messrs. Dodd,
Earl,
Foster,
Mickle,

Messrs. Munson,
Robbins,
Thompson,
Townsend,

Toy—9.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform

them that they have been passed by this House, and request their concurrence therein.

The bill from Council, entitled *An act to divorce Elizabeth Voorhees, from her husband, Lucas L. Voorhees,*

Was read a third time.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Bee,
Capner,
Carson,
Christie,
Foster,

Messrs. Freas,
Mickle,
Terhune,
Townsend,
Van Riper—10.

NAYS.

Messrs. Armstrong,
Chandler,
Clifford,
Coles,
Day,
Dodd,
Emly,
Ewing, (Speaker,
Farlee,
Green,
Halsted,
Hopping,
Lloyd,

Messrs. Mott,
Munson,
Parker,
Porter,
Robbins,
Seeley,
Sinnickson,
Snowhill,
Stryker,
Thompson,
Toy,
Vroom,
West,

Woodhull—27.

Ordered, That the Clerk inform Council, that the House have disagreed to said bill.

The House adjourned to ten o'clock to-morrow morning.



WEDNESDAY, February 13, 1828.

Ten o'clock the House met.

Mr. Dodd presented the petition of the Morris Canal and Banking Company, setting forth a statement of its concerns, the progress made in the extension of said canal, and praying of the State the creation of stock, to be loaned to them for their relief and assistance.

Which petition was read, and committed to Messrs. Dodd, Jeffers, and Munson.

The Speaker laid before the House, the triennial report of the president and secretary of the New Hope Delaware Bridge Com-

pany, giving a statement of the amount of tolls, received from 1st September, 1824, to September, 1827.

Which report was read, and ordered to lie on the table.

Mr. Halsted, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to incorporate the Rahway Cotton Manufacturing Company.

Which bill was read, and ordered a second reading.

Mr. Dodd, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to incorporate the Paterson Centre Market.

Which bill was read, and ordered a second reading.

Mr. Jeffers, with leave, presented a bill, entitled A supplement to an act entitled An act to incorporate the Salem Steam Mill and Manufacturing Company, in the county of Salem.

Which bill was read, and ordered a second reading.

Mr. Jeffers, also with leave, presented a bill, entitled An act to incorporate the president, trustees and company of the Salem Masonic Loan.

Which bill was read, and ordered a second reading.

On motion of Mr. Kirkpatrick, that the House do re-consider the vote on the bill, entitled An act to incorporate the Camden and Amboy Rail Road Company,

The question was taken on re-consideration, and the vote was as follows :

YEAS.

Messrs. Bee,
Carson,
Chandler,
Christie,
Day,
Dodd,
Earl,
Emly,
Ewing, (Speaker,)
Foster,
Jeffers,

Messrs. Kirkpatrick,
Lloyd,
Marsh,
Mickle,
Mills,
Mott,
Porter,
Terhune,
Thompson,
Townsend,
Toy—22.

NAYS.

Messrs. Armstrong,
Capner,
Clifford,
Coles,
Farlee,
Freas,
Green,
Halsted,
Hopping,

Messrs. Munson,
Parker,
Robbins,
Seeley,
Snowhill,
Stryker,
Van Riper,
Vroom,
West.

So the vote on said bill was not re-considered.

The bill from Council, entitled An act to incorporate the Newark Savings Fund Association,

Was read a third time.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The bill from Council, entitled An act to incorporate the New Jersey Coal Mining Company,

Was read a third time.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform the Council, that the House of Assembly have passed said bills,

Without amendment.

The engrossed bill, entitled An act to authorize the enclosing of a tract of woodland, situated in the township of Saddle River, in the county of Bergen,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

On motion of Mr. Halsted, the bill, entitled An act to prevent frauds by incorporated companies, and for other purposes,

Was called up, and committed to the committee on the subject of the banks.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled An act for the relief of the New Jersey Delaware Oyster Company ;

And the bill from the House of Assembly, entitled An act to enable Garrabrant Van Riper, his heirs or assigns, to erect a mill dam across the river Passaic,

Without amendment ;

And that the Council have passed a bill, entitled An act to incorporate the Paterson Manufacturing Company.

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading.

The House resumed the consideration of the bill, entitled An act to enable the owners and possessors of marsh, swamps and cripple, lying on the west branch of Stoe creek, in the township of Lower Alloways Creek, in the county of Salem, to erect a bank, dam, and other water works, and more effectually to drain and improve the same.

Which was gone through with by section, and ordered to be engrossed.

On motion, the bill, entitled An act for the relief of the Stockholders of the late Delaware and Raritan Canal Company,

Was made the order of the day for this afternoon.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr Halsted presented the petition of John M. Trumbell, father and guardian of Thomas G. Trumbell, a minor, and the said Thomas G. Trumbell, praying a law authorizing trustees to convey the interest of said minor in certain undivided property, to John M. Trumbell, the father and guardian of said minor, for his benefit.

Which petition was read, and committed to Messrs. Halsted, Marsh, and Clifford.

Mr. Porter, with leave, presented a bill, entitled A further supplement to the act concerning taxes, passed June 10, 1799.

Which bill was read, ordered a second reading, and to be printed.

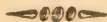
Mr. Dodd, with leave, presented a bill, entitled A supplement to an act entitled An act to incorporate the Phoenix Manufacturing Company.

Which bill was read, and ordered a second reading.

The House then proceeded to the order of the day, and resumed the consideration of the bill, entitled An act for the relief of the stockholders of the late Delaware and Raritan Canal Company ;

And while the same was under consideration,

The House adjourned to ten o'clock to-morrow morning.



THURSDAY, February 14, 1828.

Ten o'clock the House met.

On motion of Mr. Mott, the parties applying for the impeachment of Eyre Oliphant, esq. were permitted to withdraw their papers.

On motion of Mr. Porter. the bill, entitled An act to restore the navigation of Woodbury creek, in the county of Gloucester,

Was made the order of the day for Friday next.

On motion, the report of the New Hope Delaware Bridge Company,

Was called up, and committed to Messrs. Mott, Halsted, and Mills.

On motion of Mr. Jeffers, the bill, entitled A supplement to the act entitled An act establishing a militia system,

Was made the order of the day for to-morrow.

The House resumed the consideration of the bill, entitled An act for the relief of the stockholders of the late Delaware and Raritan Canal Company ;

And on the question of agreeing to the first section of the same. the yeas and nays being required, were as follows :

YEAS.

Messrs. Bee,
Carson,
Chandler,
Coles,
Day,
Dodd,
Emly,
Ewing, (Speaker.)
Foster,
Halsted,
Jeffers,

Messrs. Kirkpatrick,
Marsh,
Mickle,
Mills,
Munson,
Parker,
Porter,
Snowhill,
Thompson,
Townsend,
Toy,

Wall—23.

NAYS.

Messrs. Armstrong,
Capner,
Christie,
Clifford,
Earl,
Farlee,
Freas,
Green,
Hopping,
Lloyd,

Messrs. Mott,
Robbins,
Seeley,
Sinnickson,
Stryker,
Terhune,
Van Riper,
Vroom,
West,
Woodhull—20.

So the first section was agreed to, the bill then was gone through with by section, and ordered to be engrossed.

The bill from Council, entitled An act to incorporate the Paterson Manufacturing Company,

Was read a second time, gone through with by section, and ordered a third reading.

The bill from Council, entitled A supplement to the act entitled An act to incorporate the Somerville Aqueduct Company, passed November 18, 1807,

Was read a second time, gone through with by section, and ordered a third reading.

The bill from Council, entitled An act to authorize the inhabitants of the township of Newark, in the county of Essex, to raise money for the purchase of one or more public burying places,

Was read a second time, gone through with by section, and ordered a third reading.

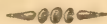
The bill, entitled An act appointing commissioners to settle the boundary line between the county of Gloucester, and the counties of Salem and Cumberland,

Was read a second time, gone through with by section, and postponed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled An act to incorporate the Hunterdon Mining Company,

Without amendment.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Chandler, from the committee to whom was committed the engrossed bill, entitled A further supplement to the act entitled An act to incorporate the Orange and Sussex Canal Company, passed the 10th day of December, 1823,

Reported the same with amendments.

Which amendments were read, agreed to, and the bill as amended, ordered to be again engrossed.

Mr. Woodhull, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled A supplement to the act entitled An act to authorize the chosen freeholders of the county of Monmouth to build a bridge over the north branch of the Never Sink river, passed December 14, 1826.

Which bill was read, and ordered a second reading.

Mr. Carson, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to incorporate the Washington Turnpike Company, in the county of Middlesex.

Which bill was read, and ordered a second reading.

The bill, entitled An act to assist the inhabitants of the townships of Pahaquarry and Knowlton, in the county of Warren, to complete that part of a public highway, in the said townships, which crosses the Blue Mountains, at the Water Gap,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled An act authorizing John S. Van Winkle, and Brant Van Blarcom, their heirs and assigns, to erect a dam across Passaic river,

Was read a second time, considered by section, and ordered to be engrossed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council passed a bill, entitled *An act to incorporate the Orange Bank.*

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading.

Mr. Wall, with leave, presented a bill, entitled *An act relative to the jail of Hunterdon county.*

Which bill was read, a first, second time, considered by section, and ordered to be engrossed.

On motion, the said bill was read a third time.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry the said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The House adjourned to ten o'clock to-morrow morning.



FRIDAY, February 15, 1828.

Ten o'clock the House met.

Mr. Christie presented the petition of John B. Thorp and Charles Kinsey, of Bergen county, praying for an act of incorporation, for themselves and their associates, as a company, for the purpose of making explorations for, and working, coal mines.

Which petition was read, and committed to Messrs. Christie, Marsh, and Mickle.

Mr. Porter, from the committee on that subject,

Reported a bill, entitled *A further supplement to an act for the preservation of deer, and other game, and to prevent trespassing with guns.*

Which bill was read, ordered a second reading, and to be printed.

Mr. Halsted, with leave, presented a bill, entitled *A further supplement to an act entitled An act concerning inns and taverns.*

Which bill was read, ordered a second reading, and to be printed.

Mr. Jeffers submitted the following resolution:

Resolved, That a committee be appointed to enquire whether any, and if any, what, amendments are necessary to the insolvent laws of this State.

Which resolution was read, agreed to, and committed to Messrs Jeffers, Day, and Vroom.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled An act relative to the jail of the county of Hunterdon,

With an amendment.

To which amendment they request the concurrence of the House of Assembly.

Which amendment was read, agreed to, and the bill, as amended, ordered to be re-engrossed.

The House, agreeably to the order of yesterday, proceeded to the consideration of the bill, entitled A supplement to the act entitled An act establishing a militia system.

Which bill was read a second time, the first section disagreed to, and the bill dismissed.

The bill from Council, entitled An act to incorporate the Paterson Manufacturing Company,

Was read a third time, and committed to Messrs. Parker, Green, and Jeffers.

The bill from Council, entitled A supplement to the act entitled An act to incorporate the Somerville Aqueduct Company, passed November 18, 1807,

Was read a third time, as amended.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council that the House have passed said bill,

With amendments,

To which amendments they request their concurrence.

The engrossed bill, entitled An act to enable the owners and possessors of marsh, swamps and cripple, lying on the west branch of Stoe creek, in the township of Lower Alloways Creek, in the county of Salem, to erect a dam, and other water works, and more effectually to drain and improve the same,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon.

Three o'clock the House met.

Mr. Wall presented the petition of Archibald Alexander and others, praying an appropriation from the State, for the purpose of affording religious instruction to the convicts of the State prison.

Which petition was read, and committed to the committee to whom the State concerns were referred.

Mr. Wall presented the memorial of the Hunterdon brigade board of general and field officers, praying a repeal of the law for distributing the public arms of the State, among the several uniformed companies; and also, for the erection of an arsenal for the accommodation and safe keeping of the public arms.

Which memorial was read, and referred to the committee to whom the report of the Quarter Master General, was committed.

Mr. Wall, from the committee on that subject,

Reported a bill, entitled A supplement to an act entitled An act regulating fences.

Which bill was read, ordered a second reading, and to be printed.

Mr. Wall, from the committee to whom was referred the petition of Kennedy & Co. and others, lottery and exchange brokers, residents of Philadelphia,

Reported, That it is inexpedient to grant the prayer of the said petitioners, and prayed leave to submit the following resolution:

Resolved, That Kennedy & Co. and others, lottery and exchange brokers, residents of Philadelphia, have leave to withdraw their petition.

Which report and resolution were read, and agreed to.

Mr. Carson submitted the following preamble and resolution:

Whereas, in all governments, the well being of society, and the welfare of the citizens generally, require, that the laws which govern them, more particularly those relative to crime, should be fully understood: and whereas, so many acts and supplemental acts have, at different times, been enacted, as to make it difficult, for the citizens, to understand their true import, if not prevent the due administration of justice, by the respective county courts—therefore,

Resolved, By the Council and General Assembly of this State, that the Attorney General, be, and he hereby is, authorized to revise all the different acts and supplemental acts, relative to crimes and misdemeanors, and report by bill, or bills, or otherwise, to the next Legislature.

Which preamble and resolution were read, and ordered to lie on the table.

The re-engrossed bill, entitled An act relative to the jail of the county of Hunterdon,

Was read, as amended.

On the question, shall this bill pass:

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that the amendment made thereto by Council, has been agreed to by the House, and that they have caused said bill to be re-engrossed.

The bill from Council, entitled An act to authorize the inhabitants of the township of Newark, in the county of Essex, to raise money for the purchase of one or more public burying places,

Was read a third time,

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform the Council, that the House of Assembly have passed said bill,

Without amendment.

The engrossed bill, entitled An act to assist the inhabitants of the townships of Pahaquarry and Knowlton, in the county of Warren, to complete that part of a public highway, in the said townships, which crosses the Blue Mountains, at the Water Gap,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,
Bee,
Capner,
Carson,
Chandler,
Christie,
Clifford,
Coles,
Day,
Emly,
Farlee,
Foster,
Green,
Hopping,
Jeffers,
Lloyd,

Messrs. Marsh,
Mickle,
Munson,
Parker,
Porter,
Robbins,
Snowhill,
Stryker,
Terhune,
Thompson,
Toy,
Van Riper,
Vroom,
Wall,
West,
Woodhull—32.

NAYS.

Messrs. Earl,
Ewing, (Speaker,)
Freas,
Halsted,

Messrs. Mills,
Mott,
Seeley,
Sinnickson,

Townsend—9.

Ordered. That the Speaker sign the same.

The engrossed bill, entitled An act authorizing John S. Van Winkle, and Brant Van Blarcom, their heirs and assigns, to erect a dam across Passaic river,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,
Bee,
Capner,
Carson,
Chandler,
Christie,
Clifford,
Coles,
Day,
Earl,
Farlee,
Foster,
Freas,
Green,

Messrs. Hopping,
Jeffers,
Lloyd,
Marsh,
Mills,
Mott,
Munson,
Parker,
Robbins,
Snowhill,
Stryker,
Terhung,
Van Riper,
Vroom.

West—29.

NAYS.

Messrs. Emly,
Ewing, (Speaker,)
Halsted,
Mickle,

Messrs. Porter,
Seeley,
Sinnickson,
Thompson,

Townsend—9.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry the said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

Mr. Christie, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to incorporate the New Jersey Coal Company.

Which bill was read, and ordered a second reading.

The bill, entitled An act to incorporate the Gloucester Manufacturing Company,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled An act to authorize Ann Chamberlin, administratrix, and John Chamberlin, and Elisha R. Johnston, administrators of Joseph P. Chamberlin, deceased, to fulfil and execute a contract made by the said Joseph Chamberlin, in his life time, with one Cornelius L. Sutphen, for the sale of a certain messuage or lot of land, therein mentioned.

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled A supplement to an act entitled An act to enable William S. Pennington, of the county of Essex, to carry into effect, a trust therein named, passed on the 27th day of November, 1823,

Was read a second time, progressed in, and while under consideration,

The House adjourned to ten o'clock to-morrow morning.



SATURDAY, February 16, 1824.

Ten o'clock the House met.

Mr. Wall presented sundry petitions from inhabitants of Hunterdon county, praying for a law to hold an election in said county, to determine the question of removing the Seat of Justice, from Flemington to Somerville.

Which petitions were read, and committed to Messrs. Wall, Vroom, and Mott.

Mr. Day presented the petition of Samuel Williams, of Essex county, praying to be divorced from his wife Mary.

Which petition was read, and committed to Messrs. Day, Foster, and Stryker.

Mr. Woodhull, from the committee to whom was re-committed the bill, entitled An act to prevent frauds by incorporated companies, and for other purposes,

Reported the same with amendments.

- Which, with the bill, were ordered to lie on the table, and the amendments to be re-printed.

Mr. Toy, from the committee appointed to enquire into the value of the oyster beds, within the bounds of the county of Cumberland, having collected from the best and most authentic sources, all the information within their reach, requested leave to submit the following, as the result of their investigations :

There are employed in taking oysters from the said beds, upwards of five hundred vessels, navigated by about two thousand men, who chiefly reside out of this State—of the said vessels, an average number of at least sixty, are daily employed in fishing, for about three hundred days in the year, and are supposed to take an average quantity of at least sixty bushels each per day, making an aggregate of one hundred and eight thousand bushels, which being valued at ten cents per bushel, would amount to ten thousand eight

hundred dollars per annum. The committee having had no opportunity to examine personally, into the situation of the said oyster beds, or the vessels employed thereon, have been obliged to derive their information from several respectable persons, who either reside near them, or have been long employed in navigating the waters, within which they are situated, yet they are fully satisfied, that the foregoing statements are entirely within the truth, as to the means necessary to be used, in order to render the said oyster beds available to the State of New Jersey. The committee forbear to make any remarks, there being already a bill before the Legislature, which embraces that object, relative to which, as a committee, they wish not to express an opinion.

By order of the committee,

ISAIAH TOY, Chairman.

Which report was read, ordered to lie on the table, and to be printed.

Mr. Carson, with leave, presented a bill, entitled A further supplement to the act entitled An act to ascertain the power and authority of the ordinary and his surrogates, to regulate the jurisdiction of the prerogative court, and to establish an orphan's court, in the several counties of the State.

Which bill was read, and committed to Messrs. Carson, Vroom, and Jeffers.

The House took up the report of the committee of the bill from Council, entitled An act supplementary to an act entitled An act to incorporate a company to extend the Paterson and Hamburg Turnpike to the Hudson river, passed 16th February, 1816.

Which was disagreed to, and the bill ordered to lie on the table.

The bill, entitled An act authorizing the enclosure of a certain tract of woodland, situated in the township of Saddle River, in the county of Bergen,

Was read a second time, progressed in by section, and postponed.

The bill, entitled an act to incorporate the Paterson Fire Insurance Company, in the counties of Essex and Bergen,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled an act relative to the truss bridge over Great Timber creek, in the county of Gloucester,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled A further supplement to an act entitled An act to incorporate the Newark and Mount Pleasant Turnpike Company,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled An act concerning escheats,

Was read a second time, gone through with by section, and ordered to be engrossed.

The House adjourned to ten o'clock on Monday morning.

MONDAY, February 18, 1828.

Ten o'clock the House met.

Mr. Day presented, with leave, a bill entitled An act to constitute the first battalion of the fifth regiment of Essex Brigade, into a regiment, to be called and known by the name of the Fifth Regiment of the Essex Brigade.

Which bill was read, ordered a second reading, and to be printed.

Mr. West, with leave, presented a bill, entitled An act to regulate the travelling on the bridge over the North River, in the county of Monmouth.

Which bill was read, ordered a second reading, and to be printed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the following bills from the House of Assembly, viz:

The bill, entitled An act to authorize the enclosing of a tract of woodland, situated in the township of Saddle River, in the county of Bergen;

The bill, entitled An act to repeal certain provisions in the act entitled An act to constitute and make Crosswicks creek, a good and lawful fence, from the place known by the name of Watson's Ferry down to the mouth of the same, passed June 20th, 1765;

The bill, entitled An act to incorporate the Raritan Coal Mining Company, and

The bill, entitled An act for the relief of the Mechanics' Insurance Company, in the county of Essex, and of the New Brunswick Insurance Company, in the counties of Somerset and Middlesex—

Respectively, without amendment;

And that the Council have agreed to the amendments made by the House of Assembly, to the bill from the Council, entitled A supplement to the act entitled An act to incorporate the Somerville Aqueduct Company, passed November 18, 1807,

And have caused said bill to be re-engrossed.

And that the Council have passed a bill, entitled An act to authorize Esther Finley, executrix of the last will and testament of the Rev. Robert Finley, deceased, to sell and convey real estate.

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading.

The House resumed the consideration of the bill, entitled An act authorizing the enclosure of a certain tract of woodland, situate in the township of Saddle River, in the county of Bergen,

Which was gone through with by section, and ordered to be engrossed.

The bill, entitled An act to incorporate the New Jersey Rail Road Company,

Was read a second time, and postponed.

The bill, entitled An additional supplement to the act entitled to incorporate the Georgetown and Franklin Turnpike Company, passed the 15th day of February, 1816,

Was read a second time, gone through with by section, and the title so amended, as to read, An additional supplement to the act entitled An act to incorporate the Georgetown and Franklin Turnpike Company.

Thus amended, the bill was ordered to be engrossed.

The bill, entitled An act to authorize the erection of a dam and water works, across Ogden's creek, in the county of Cumberland,

Was read a second time, gone through with by section, and ordered to be engrossed.

The House resumed the consideration of the bill, entitled An act appointing commissioners to settle the boundary line between the county of Gloucester, and the counties of Salem and Cumberland.

Which was ordered to be engrossed.

The bill, entitled An act to incorporate the Salem and Philadelphia Steam Boat Company,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled An act to alter and amend an act, entitled An act to incorporate trustees of religious societies, passed the 12th day of June, 1799,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled An act to exempt students of academies, from militia duty,

Was read a second time, and postponed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Lloyd and Mr. Hopping, severally, presented petitions from inhabitants of Monmouth, praying a repeal, or modification of the law prohibiting the running of horses.

Which petitions were read, and ordered to lie on the table.

Mr. Carson presented the petition of Ann Coward, of Middlesex county, praying to be divorced from her husband, Thomas Coward, jr.

Which petition was read, and committed to Messrs. Carson, Clifford, and Hopping,

Mr. Mott, from the committee to whom was referred the statement of the President and Secretary of the New Hope Delaware Bridge Company,

Reported, That they have examined the statement exhibited to the House, in conformity to the 14th section of the act incorporating said Company, by which it appears, that the cost of erecting and completing said bridge, is \$ 70,838²².

That the amount of tolls received for crossing said bridge, for the three years last past, commencing September, 1824, and ending September, 1827, is \$ 5,864 19

Deduct toll-keeper's salary, repairing lamps, gates, &c. 894 53

Nett tolls, for three years, \$ 4,969 66

Which appears to be seven per cent. on the cost of the bridge, for the last three years, or two and one third per cent. per annum.

Which report was read, and agreed to.

Mr. Jeffers, with leave, presented a bill, entitled a supplement to An act to secure creditors an equal and just division of the estates of debtors, who convey to assignees, for the benefit of creditors.

Which bill was read, and referred to the committee on the subject of the insolvent laws of this State.

Mr. Coles, with leave, presented a bill, entitled A supplement to the act entitled An act regulating the money of account, in this State, passed 21st February, 1799.

Which bill was read, ordered a second reading, and to be printed.

The bill, entitled An act to incorporate the Rahway Manufacturing Company,

Was read a second time, gone through with by section, and ordered to be engrossed.

The engrossed bill, entitled An act for the safety of passengers, in steam boats and stages,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,

Capner,

Carson,

Chandler,

Christie,

Clifford,

Coles,

Day,

Dodd,

Earl,

Emly,

Messrs. Ewing, (Speaker,)

Farlee,

Foster,

Freas,

Green,

Halsted,

Hopping,

Lloyd,

Marsh,

Mickle,

Mills,

Messrs. Mott,
Munson,
Porter,
Robbins,
Seeley,
Sinnickson,
Stryker,

Messrs. Terhune,
Thompson,
Townsend,
Van Riper,
Wall,
West,
Woodhull—36.

NAY.

Mr. Jeffers—1.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to incorporate the Gloucester Manufacturing Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,
Carson,
Chandler,
Christie,
Coles,
Day,
Dodd,
Earl,
Emly,
Ewing, (Speaker),
Foster,
Freas,
Green,
Halsted,
Hopping,

Messrs. Jeffers,
Lloyd,
Marsh,
Mickle,
Mills,
Munson,
Porter,
Seeley,
Sinnickson,
Stryker,
Terhune,
Thompson,
Van Riper,
Wall,
West,

Woodhull—31.

NAYS.

Messrs. Capner,
Clifford,
Farlee,

Messrs. Mott,
Robbins,
Townsend—6.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled A further supplement to an act entitled An act to incorporate the Newark and Mount Pleasant Turnpike Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform

them that they have been passed by this House, and request their concurrence therein.

The House adjourned to ten o'clock to-morrow morning.



TUESDAY, February 19, 1828.

Ten o'clock the House met.

Mr. Day presented the petition of certain meadow owners of Essex county, praying a law to prevent the indiscriminate pasturage of the same.

Which petition was read, and committed to Messrs. Day, Lloyd, and Townsend.

Mr. Lloyd, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to incorporate the Shrewsbury Steam Boat and Bath Buildings Company, in the county of Monmouth.

Which bill was read, and ordered a second reading.

Mr. Parker, from the committee to whom was committed the bill from Council, entitled An act to incorporate the Paterson Manufacturing Company,

Reported the said bill with an amendment.

Which amendment was read, agreed to, and the bill read a third time.

On the question recurring, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Bee,
Carson,
Chandler.
Christie,
Coles,
Day,
Dodd,
Earl,
Emly,
Ewing, (Speaker),
Foster,
Green,
Halsted,
Hopping.

Messrs. Jeffers,
Kirkpatrick,
Lloyd,
Mickle,
Munson,
Parker,
Porter,
Seeley,
Sinnickson,
Stryker,
Terhune,
Toy,
Van Riper,
Wall,
Woodhull—30

NAYS.

Messrs. Capner,
Clifford,
Farlee,
Freas,

Messrs. Mills,
Mott,
Robbins,
Thompson,

Townsend—9.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council, that the House of Assembly have passed said bill,
With an amendment.

To which amendment they request the concurrence of the Council.

The engrossed bill, entitled An act appointing commissioners, to settle the boundary line between the county of Gloucester, and the counties of Salem and Cumberland,

Was read a third time, and compared,

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong.

Bee,
Capner.
Carson,
Chandler.
Christie,
Clifford.
Coles.
Day.
Dodd.
Emly,
Ewing, (Speaker.
Farlee,
Foster,
Green,
Halsted,
Hopping,

Messrs. Kirkpatrick,

Lloyd,
Marsh,
Mickle,
Mills,
Mott,
Munson.
Parker,
Porter,
Robbins,
Seeley,
Stryker,
Terhune.
Thompson,
Toy,
Van Riper,
Wall,

West—55.

NAYS.

Messrs. Freas,
Jeffers,

Messrs. Sinnickson,
Townsend.

Woodhull—5.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to authorize Ann Chamberlin, administratrix, and John Chamberlin, and Elisha R. Johnston, administrators of Joseph P. Chamberlin, deceased, to fulfil and execute a contract made by the said Joseph P. Chamberlin, in his life

time, with one Cornelius L. Sutphen, for the sale of a certain messuage or a lot of land therein mentioned,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to authorize the erection of a dam, and water works, across Ogden's creek, in the county of Cumberland,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,

Bee,

Capner,

Carson,

Chandler,

Christie,

Clifford,

Coles,

Day,

Emly,

Ewing, (Speaker.)

Farlee,

Foster,

Freas,

Green,

Halsted,

Hopping,

Jeffers,

Messrs. Kirkpatrick,

Lloyd,

Marsh,

Mills,

Mott,

Munson,

Porter,

Robbins,

Seeley,

Sinnickson,

Stryker,

Terhune,

Thompson,

Townsend,

Toy,

Van Riper,

West,

Woodhull—36.

NAY.

Mr. Wall—1.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to incorporate the Paterson Fire Insurance Company, in the counties of Essex and Bergen,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,

Bee,

Capner,

Carson,

Chandler,

Christie,

Coles,

Day,

Dodd.

Messrs. Earl,

Emly,

Ewing, (Speaker.)

Farlee,

Green,

Halsted,

Hopping,

Jeffers,

Kirkpatrick.

Messrs. Lloyd,
Mickle,
Mills,
Mott,
Munson,
Parker,
Porter,
Seeley,

Messrs. Sinnickson,
Stryker,
Terhune,
Toy,
Van Riper,
Wall,
West,
Woodhull—34

NAYS.

Messrs. Clifford,
Foster,

Messrs. Freas,
Robbins,

Townsend—5.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to alter and amend an act entitled An act to incorporate trustees of religious societies, passed the 12th day of June, 1799,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The bill, entitled An act to restore the navigation of Woodbury creek, in the county of Gloucester,

Which had been made the order of the day,

Was read a second time;

Whereupon, Mr. Porter, and Mr. Mickle, severally presented sundry documents and statements, in relation thereto.

Which were read, and laid on the table.

The bill was then progressed in, and while under consideration, The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the resolution from the House of Assembly, relative to the Jersey Bank, and the Hoboken Banking and Grazing Company,

Without amendment;

And that the Council have passed a bill, entitled An act to change the time of holding certain courts in the county of Sussex,

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading.

And the message informed, that the Council have passed the bill from the House of Assembly, entitled An act authorizing John S. Van Winkle, and Brant Van Blarcom, their heirs and assigns, to erect a dam across Passaic river,

With amendments,

To which amendments, they request the concurrence of the House of Assembly,

Which amendments were read, agreed to, and the bill as amended ordered to be re-engrossed.

Mr. Halsted, from the committee to whom was referred the preamble and resolutions from the state of Maine, in relation to the funds which may be appropriated by the general government, for objects of internal improvement, and also the resolution from the state of Connecticut, on the same subject,

Reported, That they fully concur in the opinion, expressed in the preamble to the resolutions from the state of Maine, that if the surplus funds of the United States, are to be appropriated to the purposes of internal improvement, the best mode of appropriation will be to distribute these funds among the several states in proportion to their population, subject to the condition, that they shall be exclusively applied by the state governments, to the purposes of internal improvement and general education.

The committee would therefore submit the following resolves:

Resolved, That if the government of the United States shall think proper to appropriate a part of its revenue, to the purposes of internal improvement, it is the opinion of this Legislature, that the funds designed for these purposes, ought to be distributed among the several states, in proportion to their population, to be expended under the authority of their respective legislatures,

Resolved, That the secretary of state, be, and he hereby is directed, to transmit a copy of these resolves, to each of the senators, and representatives in Congress, from this State.

Resolved, That his excellency the governor be requested to, transmit a copy of these resolves to the executive of each of the several states

Which report was read, and ordered to lie on the table.

The House resumed the consideration of the bill, entitled An act to restore the navigation of Woodbury creek, in the county of Gloucester.

Which was gone through with, by section, and ordered to be engrossed.

The House adjourned to ten o'clock to-morrow morning.

WEDNESDAY, February 20, 1828.

Ten o'clock the House met.

Mr. Kirkpatrick presented the petition of Catharine Doremus, and others, widow and heirs of Cornelius Doremus, late of Morris county, deceased, praying for a law, authorizing the orphans' court, of the county of Morris, to appoint guardians for two of the children of said deceased, who are idiots,

Which petition was read, and committed to Messrs. Kirkpatrick, Green and Lloyd.

Mr. Carson, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to divorce Mary Owens from her husband, Peter Owens.

Which bill was read, and ordered a second reading.

Mr. Day, from the committee to whom was referred the petition on that subject.

Reported a bill, entitled An act to divorce Samuel Williams from his wife, Mary Williams.

Which bill was read, and ordered a second reading.

Mr. Dodd, from the committee to whom was referred the memorial on that subject,

Reported a bill, entitled An act to loan the credit of this State to the Morris Canal and Banking Company.

Which bill was read, and ordered a second reading.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled An act to authorize Robert Thompson, to construct a canal through his lands, in the township of Bergen, from Newark bay to New York bay ;

And the bill, entitled An act to enable the owners and possessors of marsh, swamps and cripple, lying on the west branch of Stoe Creek, in the township of Lower Alloways Creek, in the county of Salem, to erect a bank, dam, and other water works, and more effectually to drain and improve the same,

Respectively without amendment.

The engrossed bill, entitled An act relative to the Truss bridge over Great Timber creek, in the county of Gloucester,

Was read a third time, and re-committed.

The engrossed bill, entitled A further supplement to the act entitled An act to incorporate the Orange and Sussex Canal Company. passed the 10th day of December, 1823,

Was read a third time, and postponed.

The engrossed bill, entitled An act concerning escheats.

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act authorizing the enclosure of a certain tract of woodland, situate in the township of Saddle River, in the county of Bergen,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to incorporate the Salem and Philadelphia Steam Boat Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Bee,
Carson,
Chandler.
Christie,
Clifford,
Coles.
Day,
Dodd.
Earl,
Emly,
Ewing, (Speaker,)
Farlee,
Halsted,
Hopping,
Jeffers,
Kirkpatrick,
Lloyd,
Mickle,

Messrs. Mills,
Mott,
Munson,
Parker,
Porter,
Robbins,
Seeley,
Sinnickson,
Snowhill,
Stryker,
Terhune,
Thompson,
Townsend,
Toy,
Van Riper,
Wall,
West,
Woodhull—36.

NAYS.

Messrs. Foster,
Green,

Messrs. Marsh,
Vroom—1.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An additional supplement to the act entitled An act to incorporate the Georgetown and Franklin turnpike Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Bee,
Carson,
Chandler,
Christie,
Coles,
Day,
Earl,
Emly,
Ewing, (Speaker.)
Foster,
Green,
Halsted,
Hopping,
Jeffers,
Kirkpatrick,
Lloyd,
Marsh,

Messrs. Mickle,
Mills,
Mott,
Munson,
Parker,
Porter,
Sinnickson,
Snowhill,
Stryker,
Terhune,
Thompson,
Townsend,
Toy,
Van Riper,
Vroom,
West,
Woodhull—34.

NAYS.

Messrs. Armstrong,
Clifford,

Messrs. Farlee,
Robbins,

Wall—5.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to incorporate the Rahway Cotton Manufacturing Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,
Bee,
Carson,
Chandler,
Christie,
Coles,
Day,
Dodd,
Earl,
Emly,
Ewing, (Speaker.)
Foster,
Freas,
Green,
Halsted,
Hopping,
Jeffers.

Messrs. Kirkpatrick,
Lloyd,
Marsh,
Mickle,
Mills,
Parker,
Porter,
Seeley,
Sinnickson,
Snowhill,
Stryker,
Terhune,
Thompson,
Toy,
Van Riper,
Vroom,
West.

Woodhull—35.

NAYS.

Messrs. Clifford,
Farlee,

Messrs. Mott,
Robbins,

Townsend—5.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The re-engrossed bill, entitled An act authorizing John S. Van Winkle and Brant Van Blarcom, their heirs and assigns, to erect a dam across Passaic river,

Was read, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows;

YEAS.

Messrs. Armstrong,
Bee,
Carson,
Chandler,
Christie,
Clifford,
Coles,
Day,
Earl,
Farlee,
Foster,
Green,
Hopping.

Messrs. Jeffers,
Lloyd,
Marsh,
Mills,
Mott,
Parker,
Robbins,
Snowhill,
Stryker,
Terhune,
Thompson,
Van Riper,
Vroom.

West—27.

NAYS.

Messrs. Emly,
Ewing, (Speaker,)
Freas,
Porter,

Messrs. Sinnickson,
Townsend,
Toy,
Wall—8.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that the amendments made thereto by Council, have been agreed to by the House, and that they have caused said bill to be re-engrossed.

The House resumed the consideration of the bill, entitled An act to incorporate the New Jersey Rail Road Company.

Which was progressed in by section, and while under consideration,

The House adjourned to three o'clock in the afternoon.

Three o'clock the House met.

Mr. Kirkpatrick, from the committee on that subject,
Reported a bill, entitled An act for the relief of Garret Doremus
 and Rachael Doremus.

Which bill was read, and ordered a second reading.

Mr. Snowhill, from the committee on that subject,
Reported a bill, entitled An act to divorce Sarah Kent, from her
 husband, Amariah Kent.

Which bill was read, and ordered a second reading.

Mr. Bee, from the committee to whom was re-committed the
 engrossed bill, entitled An act relative to the truss bridge, over Great
 Timber creek, in the county of Gloucester,

Reported said bill, with amendments.

Which amendments were read, and agreed to, and the bill, as a-
 mended, ordered to be again engrossed.

Mr. Jeffers submitted the following resolution :

Resolved, That a committee be appointed to enquire whether a-
 ny, and if any, what, amendments are necessary in the rules of this
 House.

Which resolution was read, and ordered to lie on the table.

The House took up the preamble and resolution submitted by
 Mr. Carson, for authorizing the Attorney General to revise the cri-
 minal laws of this State:

Which was read, and disagreed to.

The engrossed bill, entitled an act to restore the navigation of
 Woodbury creek, in the county of Gloucester,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Bee,
 Carson,
 Chandler,
 Christie,
 Clifford,
 Coles,
 Day,
 Earl,
 Farlee,
 Foster,
 Freas,
 Halsted,
 Hopping,
 Jeffers,

Messrs. Kirkpatrick,
 Lloyd,
 Marsh,
 Mills,
 Mott,
 Parker,
 Porter,
 Robbins,
 Secley,
 Snowhill,
 Stryker,
 Thompson,
 Van Riper,
 Wall,

NAYS.

Messrs. Armstrong,
Dodd,
Emly,
Ewing, (Speaker,)
Green,
Mickle,

Messrs. Munson,
Sinnickson,
Terhune,
Townsend,
Toy,
Vroom,

Woodhull—13.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The engrossed bill, entitled A further supplement to the act entitled An act to incorporate the Orange and Sussex Canal Company, passed the 10th day of December, 1823,

Was taken up.

On the question recurring, shall this bill pass ?

It was decided in the negative, as follows :

YEAS.

Messrs. Armstrong,
Carson,
Chandler,
Christie,
Day,
Dodd,
Hopping,
Jeffers,
Kirkpatrick,
Lloyd,

Messrs. Mickle,
Munson,
Parker,
Robbins,
Snowhill,
Stryker,
Terhune,
Van Riper,
Wall,
West—20.

NAYS.

Messrs. Bee,
Clifford,
Coles,
Earl,
Emly,
Ewing, (Speaker,)
Farlee,
Foster,
Freas,
Green,
Halsted,

Messrs. Marsh,
Mills,
Mott,
Porter,
Seeley,
Sinnickson,
Thompson,
Townsend,
Toy,
Vroom,
Woodhull—22.

The House again resumed the consideration of the bill, entitled An act to incorporate the New Jersey Rail Road Company.

Which was progressed in by section, and while under consideration,

The House adjourned to ten o'clock to-morrow morning.

THURSDAY, February 21, 1828.

Ten o'clock the House met.

Mr. Wall presented a petition from a number of the inhabitants of Hunterdon county, praying for a law to authorize an election to determine the location of the court house of said county.

Which petition was ordered to lie on the table.

Mr. Dodd presented the petition of the New Jersey Printing, Bleaching, and Dyeing Company, praying an alteration of their corporate name.

Which petition was read, and committed to Messrs. Dodd, Green, and Munson.

Mr. Woodhull, from the committee to whom was referred the petition of sundry persons complaining of the official conduct of William Dellicker, Esq.

Reported, That they have carefully examined the papers submitted to them, and although it is evident that William Dellicker has not in his official capacity, acted strictly according to law, yet from all the circumstances of the case, your committee are of the opinion, that there is no sufficient ground for the interference of this House.

Which report was read, and agreed to.

Mr. Dodd, from the committee to whom were referred the resolutions of the legislatures of South Carolina and Georgia, in relation to the constitutionality and expediency of promoting American manufactures by means of tariff laws,

Reported, That they have had the same under consideration, and perceive no cause to dissent from the construction which Congress have uniformly given to the constitution of the United States in relation to this subject. Ever since the organization of the federal government in its present form, tariff laws have been in force, and at different periods subsequently, additional laws have been enacted, having for their object, not merely the raising of revenue, but the encouragement and protection of the shipping interest of the country. While this interest was in its infancy, very heavy discriminating duties on imports and tonnage, in favor of American ships, were imposed, which sometimes operated as an entire prohibition of importation in foreign vessels. These duties secured the building of American ships, and the employment of American seamen, and rendered permanent and prosperous the commerce of our country. Nor were these discriminating laws repealed or modified, until this great interest of the nation had acquired such strength, as to render them unnecessary. Besides, large sums of money are annually appropriated to extend ample protection to the property and enterprise of our merchants in every quarter of the world. The constitutionality of these laws has never been questioned.

The committee do not perceive, that the power of Congress, to extend similar protection, and encouragement to manufactures, is in any degree more limited or more doubtful. In fact, this power has been frequently exercised by Congress. The manufacture of many articles has been encouraged and protected, by means of the duties which have been imposed upon their importation ; and these duties have been imposed, avowedly for the purpose of protection, to the American manufactures.

Under these circumstances, the committee are of opinion, that a practical construction has been given to the constitution, on this subject, by the successive decisions of the general government, which cannot now be shaken.

If the result to which the committee has arrived, be correct, the only remaining question is, the expediency of the further interference of Congress, in aid of the agriculture and manufactures of the country. Experience has shewn, that the full protection of manufactures, from foreign competition, creates a competition in the market, and the community are supplied with these articles, so protected, without any increase in price.

The State of New Jersey has the means of contributing large quantities of the raw materials, of iron, wool, and flax, and has already made very great advances in the manufacture of these and other articles. The cultivation and improvement of those resources, have become essential to the property of this State.

Believing, that these important trusts, stand in need of further encouragement and protection, and that it is *expedient* that such protection should be extended to them.

The committee ask leave to submit the following resolution :

Resolved, By the Council and General Assembly, that the Senators and Representatives, in Congress, from the State of New Jersey, be, and they are hereby requested, to use their endeavors, to procure the adoption of such measures, as shall give effectual protection to the great staples of the United States, and to the manufactures of the same, particularly to those of iron, wool, flax, and hemp, and to such others as Congress, in their wisdom, may deem to require it.

Which report was read, and ordered to lie on the table.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed a bill, entitled *An act to incorporate the Belvidere Manufacturing Company*.

To which bill, they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading.

On motion, Messrs. Woodhull, Green, and Foster, were appointed a committee, for the purpose of examining, and if expedient, to purchase a number of copies of the second annual report of the board of managers of the prison discipline society, of Boston, Massachusetts.

Mr. Wall, from the committee to whom was referred the petitions on that subject.

Reported a bill, entitled An act directing the mode of determining the seat of justice, in the county of Hunterdon.

Which bill was read, and ordered a second reading.

The bill, entitled A supplement to an act entitled An act to incorporate the Salem Steam Mill and Manufacturing Company, in the county of Salem,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled An act to incorporate the president, trustees, and company, of the Salem Masonic Loan,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled An act to incorporate the Paterson Centre Market,

Was read a second time, gone through with by section, and the title so amended, as to read An act to incorporate the Salem Centre Market Association.

Thus amended, the bill was ordered to be engrossed.

The bill, entitled A farther supplement to the act concerning taxes, passed June 10th, 1799,

Was read a second time, gone through with by section, and ordered to be engrossed.

The engrossed bill, entitled An act for the relief of the stockholders of the late Delaware and Raritan Canal Company.

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Bee,
Carson,
Chandler,
Coles,
Day,
Dodd,
Emly,
Ewing, (Speaker,)
Foster,
Halsted,
Jeffers,

Messrs. Kirkpatrick,
Marsh,
Mickle,
Mills,
Munson,
Parker,
Porter,
Thompson,
Townsend,
Toy,
Wall—22.

NAYS.

Messrs. Armstrong,
Capner,
Christie,
Clifford,
Earl,
Farlee,
Freas,
Green.

Messrs. Hopping,
Lloyd,
Mott,
Robbins,
Seeley,
Sinnickson,
Snowhill,
Stryker.

Messrs. Terhune,
Van Riper,

Messrs. Vroom,
West.

Woodhull—21.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act relative to the truss bridge over Great Timber creek, in the county of Gloucester,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armsfrong,
Bee,
Capner,
Carson,
Chandler,
Christie,
Clifford,
Coles,
Day,
Earl,
Emly,
Ewing, (Speaker.)
Farlee,
Freas,
Halsted,
Hopping,
Jeffers,
Kirkpatrick,
Lloyd,

Messrs. Marsh,
Mickle,
Mills,
Mott,
Munson,
Parker,
Porter,
Robbins,
Seeley,
Sinnickson,
Snowhill,
Stryker,
Terhune,
Townsend,
Toy,
Van Riper,
Vroom,
Wall,
West,

Woodhull—39.

NAYS.

Mr. Dodd,

Mr. Green—2.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House again resumed the consideration of the bill, entitled An act to incorporate the New Jersey Rail Road Company.

Which was gone through with by section, and ordered to lie on the table.

The House adjourned to three o'clock in the afternoon

Three o'clock the House met.

Mr. Wall presented petitions from inhabitants of Hunterdon county, praying a law authorizing elections to determine the seat of justice, in Hunterdon county.

Which petitions were ordered to lie on the table.

Mr. Dodd, and Mr. Day, of Essex county, severally presented petitions from inhabitants of said county, praying the passage of a law to prevent the indiscriminate pasturage of certain meadows, near Newark, in said county.

Which petitions were referred to the committee on that subject.

Mr. Thompson, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act appointing trustees to sell and convey the real estate of Flavel Woodruff, deceased.

Which bill was read, and ordered a second reading.

The bill, entitled A further supplement to an act entitled An act concerning inns and taverns,

Was called up, and committed to Messrs. Carson, Halsted, and Woodhull.

The bill, entitled A further supplement to an act for the preservation of deer and other game, and to prevent trespassing with guns,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled A supplement to an act entitled An act to incorporate the Phoenix Manufacturing Company,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled A supplement to the act entitled An act to authorize the chosen freeholders of the county of Monmouth, to build a bridge over the north branch of Neversink river, passed December 14th, 1826,

Was read a second time, the first section disagreed to, and the bill dismissed.

The bill, entitled An act to constitute the first battalion of the fifth regiment of Essex Brigade, into a regiment, to be called and known by the name of the Fifth Regiment of the Essex Brigade,

Was read a second time, and postponed.

The bill, entitled An act to incorporate the Washington Turnpike Company, in the county of Middlesex,

Was read a second time;

When a motion was made to postpone the said bill, to the second Wednesday of the next Legislature, and to advertise the same three weeks before that day.

Which motion was disagreed to, and the bill ordered to lie on the table.

The bill from Council, entitled An act to incorporate the Orange Bank,

Was read a second time, gone through with by section, and ordered a third reading.

The bill from Council, entitled An act to incorporate the Bloomfield Manufacturing Company,

Was read a second time, gone through with by section, and ordered a third reading.

The bill from Council, entitled An act to authorize Esther Finley, executrix of the last will and testament of the Rev. Robert Finley, deceased, to sell and convey real estate,

Was read a second time, gone through with by section, and ordered a third reading.

The bill from Council, entitled An act supplementary to an act entitled An act to incorporate a company to extend the Paterson and Hamburg Turnpike to the Hudson river, passed 16th February, 1816,

Was read a second time;

Whereupon, Mr. Christie presented a remonstrance from certain stockholders of the new Barbadoes Toll Bridge Company, against the passage of said bill,

The bill was then postponed.

The House adjourned to nine o'clock to-morrow morning.



FRIDAY, February 22, 1828.

Nine o'clock the House met.

Mr. Freas presented petitions from inhabitants of the township of Centreville, in Salem county, praying the repeal of the law creating said township.

Which petitions were read, and committed to Messrs. Freas, Woodhull, and Earl.

Mr. Dodd, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act supplementary to an act entitled An act to incorporate the New Jersey Bleaching, Printing, and Dyeing Company.

Which bill was read, and ordered a second reading.

The engrossed bill, entitled An act to incorporate the Paterson Centre Market Association,

Was read a third time, and compared,

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Bee,
Chandler,
Christie,
Coles,
Dodd,
Earl,
Emly,
Ewing, (Speaker.)
Green,
Halsted,
Hopping,
Kirkpatrick,
Lloyd,

Messrs. Mickle,
Mott,
Munson,
Parker,
Porter,
Sinnickson.
Snowhill;
Terhune,
Thompson,
Toy,
Van Riper,
Vroom
West,

Woodhull—27.

NAYS.

Messrs. Capner,
Clifford,
Farlee,
Foster,
Freas,

Messrs. Mott,
Marsh,
Robbins,
Seeley,
Townsend,

Stryker—11.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The bill from Council, entitled An act to incorporate the Bloomfield Manufacturing Company,

Was read a third time.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Bee,
Chandler,
Christie,
Coles.
Day,
Dodd,
Earl,
Emly,
Ewing, (Speaker.)
Freas,
Green,
Halsted,
Hopping,
Kirkpatrick,
Lloyd,
Marsh.

Messrs. Mickle,
Munson,
Parker,
Porter,
Seeley,
Sinnickson,
Snowhill,
Stryker,
Terhune,
Thompson.
Toy,
Van Riper,
Vroom,
Wall,
West,
Woodhull—32.

NAYS.

Messrs. Capner,
Clifford,
Farlee,

Messrs. Foster,
Mott,
Robbins,

Townsend—7.

Ordered, That the Speaker sign the same.

The bill from Council, entitled An act to authorize Esther Finley, executrix of the last will and testament of the Rev. Robert Finley, deceased, to sell and convey real estate,

Was read a third time.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Capner,
Chandler,
Clifford,
Coles,
Day,
Dodd,
Earl,
Emly,
Ewing, (Speaker,)
Farlee,
Foster,
Green,
Halsted,
Hopping,
Kirkpatrick,
Lloyd,
Marsh,

Messrs. Mickle,
Mott,
Munson,
Parker,
Porter,
Robbins,
Seeley,
Sinnickson,
Snowhill,
Stryker,
Terhune,
Thompson,
Townsend,
Toy,
Vroom,
West,
Woodhull—34.

NAYS.

Mr. Bee,

Mr. Freas—2.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council, that the House have passed said bills,

Without amendment.

The House adjourned to ten o'clock to-morrow morning.



SATURDAY, February 23, 1828.

Ten o'clock the House met.

Mr. Sinnickson presented the petition of the members of the

Woodstown Fire Engine Company, of Salem county, praying an act of incorporation.

Which petition was read, and committed to Messrs. Sinnickson, Vroom, and Thompson.

Mr Toy submitted the following resolution :

Resolved, That a committee be appointed, to enquire whether any, and if any, what, alterations are necessary in the law relative to bridges.

Which resolution was read, agreed to, and Messrs. Toy, Hop-
ping, and Chandler, accordingly appointed.

Mr. Capner submitted the following resolution :

Resolved, That this House will rise on the day of March
next.

Which resolution was read, and ordered to lie on the table.

The engrossed bill, entitled A further supplement to the act con-
cerning taxes, passed June 10th, 1799,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Bee,
Carson,
Chandler,
Earl,
Emly,
Ewing, (Speaker,)
Foster,
Freas,
Kirkpatrick,
Lloyd,
Mott,

Messrs. Porter,
Seeley,
Sinnickson,
Snowhill,
Stryker,
Thompson,
Townsend,
Toy,
Vroom,
Wall,
West--22.

NAYS.

Messrs. Armstrong,
Capner,
Christie,
Clifford,
Coles,
Day,

Messrs. Dodd,
Farlee,
Hopping,
Munson,
Robbins,
Terhune.

Van Riper--13.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The bill from Council, entitled An act to change the time of holding certain courts, in the county of Sussex,

Was read a second time, considered by section. amended. and ordered a third reading.

The bill from Council, entitled An act to incorporate the Belvidere Manufacturing Company,

Was read a second time, gone through with by section, and ordered a third reading.

The bill, entitled A supplement to the act entitled An act regulating the money of account, in this State, passed 21st February, 1799,

Was read a second time, and postponed.

The bill, entitled A further supplement to an act entitled An act concerning inns and taverns,

Was read a second time, and postponed.

The bill, entitled An act to regulate the traveling on the bridge, over the North river, in the county of Monmouth,

Was read a second time, and postponed.

The bill, entitled An act to enable Cornelius S. Van Wagoner, Andrew P. Hopper, and their associates, or the survivor, his, or their heirs or assigns, to erect a dam across the river Passaic,

Was read a second time, and laid on the table.

The bill, entitled An act respecting the last will and testament of James Little, late of the county of Sussex, deceased,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled An act to incorporate the New Jersey Coal Company,

Was read a second time, gone through with, by section, and ordered to be engrossed.

The bill, entitled An act supplementary to an act entitled An act to incorporate the New Jersey Bleaching, Printing, and Dyeing Company,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled An act to incorporate a company to improve the navigation of the river Delaware, below Easton,

Was called up, and dismissed.

The House adjourned to ten o'clock, on Monday morning.



MONDAY, February 25, 1828.

Ten o'clock the House met.

Mr. Dodd presented the memorial of Mrs. Hannah Kinney, and others, of Essex county, praying for a law to authorize trustees to sell real estate of said Hannah Kinney.

Which memorial was read, and committed to Messrs. Dodd, Yroom, and Kirkpatrick.

Mr. Christie presented the remonstrance of John A Berry, against the application for the bill, supplementary to an act to incorporate a company, to extend the Paterson and Hamburg Turnpike, to the Hudson river.

Which remonstrance was read, and ordered to lie on the table.

Mr. West presented the Monmouth county abstract of rateables.

Which was ordered to lie on the table.

Mr. Carson, from the committee to whom was referred the bill entitled A further supplement to the act entitled An act to ascertain the power and authority of the Ordinary and his Surrogates, to regulate the jurisdiction of the Prerogative Court, and to establish an Orphans' Court, in the several counties of this State,

Reported said bill, without amendment.

Which bill was read, ordered a second reading, and to be printed.

Mr. Christie, from the committee appointed for that purpose,

Reported a bill, entitled An act to raise the sum of thousand dollars, for the year of our Lord one thousand eight hundred and twenty eight.

Which bill was read, ordered a second reading, and to be printed.

Mr. Jeffers, from the committee to whom was referred the bill, entitled A supplement to an act to secure to creditors an equal and just division of the estates of debtors, who convey to assignees for the benefit of creditors,

Reported said bill, without amendment.

Which bill was read, ordered a second reading, and to be printed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill, from the House of Assembly, entitled An act to authorize Ann Chamberlin, administratrix, John Chamberlin, and Elisha R Johnson, administrators of Joseph P. Chamberlin, deceased, to fulfil and execute a contract made by the said Joseph P. Chamberlin, in his life time, with one Cornelius L. Sutphen, for the sale of a certain messuage or lot of land, therein mentioned ;

And the bill from the House, entitled A further supplement to an act entitled An act to incorporate the Newark and Mount Pleasant Turnpike Company,

Without amendment ;

And that the Council have passed the bill, from the House of Assembly, entitled An act to incorporate the Rahway Cotton Manufacturing Company,

With an amendment.

To which amendment they request the concurrence of the House of Assembly.

Which amendment was read, and agreed to, with amendment.

Ordered, That the Clerk inform Council, that the House have agreed to the amendment made by Council to said bill, from the House,

With an amendment.

To which amendment to the amendment, they request the concurrence of the Council;

And the message informed, that the Council have passed the bill, from the House of Assembly, entitled An act to incorporate the Salem and Philadelphia Steam Boat Company,

Without amendment.

The bill from Council, entitled An act to change the time of holding certain courts, in the county of Sussex,

Was read a third, time as amended.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them it has been passed by this House,

With an amendment.

To which amendment, they request the concurrence of the Council.

The engrossed bill, entitled An act supplementary to an act entitled An act to incorporate the New Jersey, Bleaching, Printing, and Dyeing Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act respecting the last will and testament of James Little, late of the county of Sussex, deceased,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled A supplement to an act entitled An act to incorporate the Salem Steam Mill and Manufacturing Company, in the county of Salem,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,
Bee,
Capner,
Carson,
Christie,
Coles,
Day,
Dodd,

Messrs. Earl,
Emly,
Ewing, (Speaker,)
Farlee,
Freas,
Hopping,
Jeffers,
Kirkpatrick,

Messrs. Lloyd,
Mott,
Munson,
Robbins,
Secley,
Sinnickson,
Stryker,

Messrs. Terhune,
Thompson,
Townsend,
Toy,
Van Riper,
Vroom,
Wall,

West—31.

NAY.

Mr. Foster—1.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry the said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Carson presented a petition from William McNight, and others, of Burlington county, praying a law to authorize the erection of a draw bridge over the South River, at, or near, the village of Washington.

Which petition was read, and committed to Messrs. Carson, Lloyd, and Day.

Mr. Dodd, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to authorize the trustees for Mrs. Hannah Kinney, to sell real estate.

Which bill was read, and ordered a second reading.

Mr. Day, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled an act to prevent trespasses on the Salt Meadows, in the township of Newark.

Which bill was read, and ordered a second reading.

Mr. Sinnickson, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to incorporate the Woodstown Fire Engine Company of Salem county.

Which bill was read, and ordered a second reading.

The bill, entitled An act to enable Cornelius S. Van Waggoner, Andrew P. Hopper, and their associates, or the survivor, his or their heirs or assigns, to erect a dam across the river Passaic,

Was read a second time, considered by section, and ordered to be engrossed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled An act authorizing the erection of a dam, and water works, across Ogden's creek, in the county of Cumberland ;

The bill, entitled An act authorizing the enclosure of a certain tract of woodland, in the township of Saddle River, in the county of Bergen ; and

The bill, entitled An act supplementary to an Act to incorporate the New Jersey Bleaching, Printing, and Dyeing Company, respectively,

Without amendment ;

And that the Council have agreed to the amendments made by the House of Assembly, to the bill entitled An act to incorporate the Paterson Manufacturing Company,

And have caused said bill to be re-engrossed ;

And the message informed, that the Council have passed the bill from the House of Assembly, entitled An additional supplement to the act entitled An act to incorporate the Georgetown and Franklin Turnpike Company,

Without amendment ;

And the message further informed, that the Council have disagreed to the bill, from the House of Assembly, entitled An act relating to the lands at Paterson, belonging to this state.

The House resumed the consideration of the bill, entitled An act supplementary to an act entitled An act relative to the supreme and circuit courts.

Which was progressed in, and postponed.

The House adjourned to ten o'clock to-morrow morning.



TUESDAY, February 26, 1828.

Ten o'clock the House met.

Mr. Wall presented a petition from inhabitants of Hunterdon county, for a law to authorize an election to determine the location of the seat of justice for Hunterdon county, and Messrs. Farlee, and Capner, remonstrances from inhabitants of Hunterdon, against the same.

Mr. Parker, from the committee to whom was referred the memorial and remonstrance of a large number of the inhabitants of the county of Middlesex, complaining of the proceedings of the

commissioners, appointed by the act to regulate the planting of oysters, in the township of Perth Amboy, and of the passage of an act, passed in December, 1826, to incorporate certain tenants holding oyster lots under this State, upon rent, and remonstrating against any future grant of the oyster beds, or other natural privileges, in the waters of this State :

Report, That it has been adjudged by the Supreme Court of this State, in the term of November, 1821, (1 Halsted's Reports, page 1.)

"That navigable rivers, where the tide ebbs and flows, the ports, bays, coasts of the sea, including both the waters, and the land under the waters, for the purpose of passing and repassing, navigation, fishing, fowling, sustenance, and all other uses of the water, and its products, are common to all the people of New Jersey ;" and further,

"That a person who plants oysters on the bed of a navigable river, below the low water mark, has not such a property therein, as to enable him to maintain trespass against a person taking them away, although the oyster beds should be adjacent to his own shore."

In the opinion given by the court, on this question, it is stated by the Chief Justice, that the people of New Jersey being in possession of these rights, may make such disposition of them as they may think fit : that this power of disposition and regulation, must be exercised by them in their sovereign capacity ; that the Legislature is the rightful representative in this respect ; and therefore, that the Legislature, in the exercise of this power, may lawfully grant, make ports, harbors, basins, docks, and wharves, on the coasts of the sea and the arms thereof, and in the navigable rivers, that they may bank off those rivers, and reclaim the land upon the shores ; that they may build dams, locks, and bridges, for the improvement of the navigation, and the ease of passage ; that they may clear and improve fishing places, to increase the products of the fishery ; that they may create, enlarge, and improve oyster beds, by planting oysters therein, in order to procure a more ample supply ; that they may do these things themselves, at the public expense, or they may authorize others to do it by their own labor, and at their own expense, giving them reasonable tolls, rents, profits, or exclusive and temporary enjoyments ; but still this power, which may be thus exercised by the sovereignty of the State, is nothing more than what is called the "jus regium," the right of regulating, improving, and securing, for the common benefit of every individual citizen. The sovereign power itself, therefore, cannot consistently, with the principle of the law, and nature, and the constitution of a well ordered society, make a direct and absolute grant of the waters of the State, divesting all the citizens of their common rights. It would be a grievance which could never be long borne by a free people. After this decision, on the 25th November, 1824, the Legislature passed an act to encourage and regulate the planting of oysters, in the town-

ship of Perth Amboy, directing commissioners "to set apart and lay out the shore and land covered by the waters of the Sound and Raritan river, for the purpose of planting and growing oysters thereon, reserving such parts thereof as might be judged necessary for public accommodation, and with an express direction, that the commissioners should set apart, and designate for public use, *all natural oyster beds*, and all such other part or parts of the said shore and land covered by water, as they might deem necessary for public accommodation and use"—after which it was enacted, "that the residue of the said shores and land covered by water, so laid out, might be used and occupied by the owner or owners of the land next to, and adjacent the navigable waters aforesaid, for the purpose of planting and growing oysters thereon." A rent was to be fixed by the commissioners, and the neglect of the owner of the adjacent land, to occupy and plant the waters laid off, gave to the commissioners a right to let the same to others. By a supplementary act the owner of the adjacent land, was restricted to three acres.

From the terms of the act, it is evident, that the commissioners could grant no natural oyster bed, nor were they authorized to lay off, or grant, any privilege of planting oysters on land covered by water, *not adjacent to the shore*. Forty-eight acres of land, covered by water, lying in Raritan river, none of which adjoined to, or touched to the shore, were however laid off by the commissioners, in lots of two acres each, to twenty-four persons; which lots or parts thereof, as stated by affidavits, before the committee, contained natural oyster beds. In granting the use of these lots, for the purpose of planting oysters, it is conceived, that the commissioners exceeded the powers conferred by the act, and the grant was consequently of no effect.

An act of the Legislature was, however, subsequently passed, on the 27th December, 1826, to incorporate certain tenants holding oyster lots under the State, for rent, which after reciting the laying out of the forty-eight acres of land aforesaid, covered by the waters of the Raritan river, incorporates the persons to whom it was laid off, with power to hold the same for the term of twenty years, from the 1st of May, 1827, upon payment of a specific rent, which is reserved to the State. In consequence of the passing of the act last mentioned, a large amount of money has been expended by the company, in planting oysters on the premises, during the last year. Under this statement of the law, and the facts (as the commissioners believe them to exist,) the committee are of opinion, that the rights of the people, and the privileges of the incorporation, will be best ascertained by a judicial tribunal. The committee are of opinion, that such grants, even for a limited time, are in opposition to the decision of the Supreme Courts, herein referred to, and tend to abridge and divest the people of

this State, of those rights and privileges, which all are declared to be entitled by natural and public law, and they recommend, that the petitions referred to them on this subject, may lie on the table, to be taken into consideration, if circumstances should require.

By order of the committee,

JAMES PARKER.

Which report was read, ordered to lie on the table, and be printed.

Mr. Wall, from the committee to whom was referred the petition of Joseph Gray, a citizen of the county of Columbia, in the state of Pennsylvania, beg leave to

Report, That it appears by the petition and papers produced to the committee, that the petitioner served a tour of duty in the New Jersey militia, in the year 1779, for six months, under the command of captain James Ward, attached to the regiment commanded by colonel John Taylor, for part of the time, and for the residue for the regiment commanded by colonel Frederick Frelinghuysen—that the petitioner is now upwards of seventy-six years old, and is poor, and unable to support himself and his aged wife.

The case presented by the petitioner, is one which strongly addresses itself to the sympathy of the committee; but does not bring the petitioner within the principles upon which the Legislature of New Jersey have ever granted relief. The policy of the State of New Jersey has become too well settled, by an uniform course of legislation, in relation to claims for revolutionary services, to be departed from, at this day.

The committee do not feel themselves authorized to recommend a change of that policy by opening the treasury to claims founded merely on the discharge of the ordinary duties of every good citizen, however meritorious; or misfortunes which are provided for by the laws of every well regulated community. The petitioner in performing a tour of militia service, discharged a duty imposed upon all the citizens of New Jersey, by the Legislature of that State, and submitted to the perils and privations common to all, who bravely rallied around the standards of their country, and, no doubt, received the compensation allowed for that purpose. The committee are not aware that any pledge was given, or promise held out, by the State of New Jersey, to that brave and patriotic class of our citizens which remains to be redeemed, and they cannot perceive any thing, in the case of the petitioner, to justify the introduction of a new rule and principle in his favor.

The committee, therefore, are of opinion, that it is not expedient to grant the prayer of the petitioner, and that he have leave to withdraw his papers.

By order of the committee.

GARRET D. WALL. *Chairman.*

Which report was read. and agreed to.

Mr. Wall, from the committee to whom the subject was referred, made the following report :

*To the Honorable the Legislature of the
State of New Jersey.*

The Quarter Master General, to whom, by an order of the House of Assembly, was referred the petition of the officers and privates of the Williamson Guards, attached to the second battalion, third regiment, Essex brigade, respectfully begs leave to

Report, That the prayer of that petition is to grant to the petitioners, "the privilege of drawing upon the Governor of this State, for the procurement and furnishing of eighty stand of United States' muskets, to be distributed among the members of the said company," to be held, by them, subject to the demands of the authorities of this State.

The laws of the State do not give to the Governor any express authority to loan the public arms; but entrusts the brigade boards, of the different brigades, with the custody and distribution of the arms allotted as their respective quota, under the provisions of the law for that purpose. How far that law has answered the expectations of the Legislature, and contributed to the safety and proper preservation of the public arms, or will facilitate the prompt control of them, in emergent cases, is respectfully submitted to the wisdom and experience of the Legislature. Whatever that wisdom and experience may dictate, the Quarter Master General cannot forbear to observe, that every day's experience demonstrates the indispensable necessity of a suitable arsenal, for the safety of the public arms, which are now due, or may hereafter become due, to this State, from the United States, until the same can be disposed of agreeably to the provisions of the present, or any future law, for that purpose. The Quarter Master General has made enquiry respecting the character of the corps, who are the petitioners, and it gives him pleasure to state, that for discipline, subordination, and a knowledge of the duties of a soldier, it will not suffer by a comparison with any other; and he has no hesitation in believing that the arms could not be trusted to more patriotic or faithful hands, or be more usefully employed. This petition, very fairly presents, to the consideration of the Legislature, the policy of the present system, or the adoption of the former one of loans to uniform companies. Without venturing to intrude an opinion upon the policy to be adopted, which must rest upon the legislative wisdom, it is proper to observe, that in case the arms should be loaned to uniform companies only, some provisions for their better security would be highly expedient. Among these, the Quarter Master General begs leave to suggest :

1. That no arms should be loaned to any company, until it was lawfully organized.
2. That a bond conditioned for the safety and preservation of the arms loaned, and the return of them, when demanded, be signed by the commissioned and non-commissioned officers, and privates, of each company, should be delivered to the Quarter Master General, before any loan should be made.

3. Provision should be made, by law, for the appointment of a Quarter Master Sergeant, in each uniform company, whose duty it should be, to superintend the arms delivered ; and that each captain should, annually, on or before the first day of October, report to the Quarter Master General, the actual state of the arms in his company, and the manner in which they are kept, and persons in whose possession, if distributed among the members of the company. For the purpose of bringing the matter before the House, in such shape as to obtain an expression of their opinion, (without meaning to obtrude any opinion of his own,) he begs leave to submit, for the consideration of the House, the following resolution :

Resolved, That a committee be appointed to draft a bill, for loaning the arms of the State to uniform companies, and to make such alterations in the present system, respecting the distribution of the public arms, as they shall deem necessary for that purpose.

GARRET D. WALL,
Quarter Master General.

Which report was read, and ordered to lie on the table, and the resolution committed to Messrs. Wall, Jeffers, and Seeley.

Mr. Carson, from the committee to whom was referred the memorial of Charles Bryan, one of the constables of the township of New Hanover, in the county of Burlington, complaining of the official conduct of Isaac Hilliard, esq. one of the Justices of the Peace of said county, begs leave to make the following

Report, viz : That your committee have carefully examined all the witnesses and papers that have been brought before them on that subject, and after mature consideration thereon, have come to the following conclusion, that although some of the official conduct of the said Justice complained of, may have been improper, yet not so much as to induce your committee to recommend, that articles of impeachment be made out, and preferred against him, the said Justice, and pray that the committee be discharged from further investigation of the same.

By order of the committee.

CHARLES CARSON, Chairman.

Which report was read, and agreed to.

Mr. Wall, from the committee to whom was referred the petition of John Car, a citizen of Columbia county, state of Pennsylvania, beg leave to

Report, That the petition sets forth, that the petitioner, served a tour of duty, in the militia of New Jersey, in the year 1780, for six months, under the command of captain Cornelius Johnston, and in the battalion, commanded by major Samuel Westbrook, for which he has never received one cent, and that he is now aged, infirm and poor, and incapable of supporting himself, and therefore praying a pension, or pecuniary aid.

For the reasons, stated in the report of the committee on the petition of Joseph Gray, the committee are of opinion, that it is not

expedient to grant the prayer of the petitioner, and that he have leave to withdraw his papers.

By order of the committee.

GARRET D. WALL, *Chairman.*

Mr. Jeffers, from the committee on the subject,

Reported a bill, entitled An act to abolish imprisonment for debt, in certain cases.

Which bill was read, ordered a second reading, and to be printed.

Mr. Dodd, with leave, presented a bill, entitled An act relative to the probate of wills.

Which bill was read, ordered a second reading, and to be printed.

Mr. Jeffers, with leave, presented a bill, entitled A supplement to the act entitled An act to enable the owners of the tide swamps and marshes, to improve the same, and the owners of the meadows, already banked in, and held by different persons, to keep the same in good repair, passed the 29th day of November, in the year of our Lord, 1788.

Which bill was read, ordered a second reading, and to be printed.

The resolution submitted by Mr. Capner, relative to the time of the rising of the House,

Was called up, and made to read as follows:

Resolved, That this House will rise on the sixth day of March next.

Which resolution was read, and agreed to.

The resolution reported by the committee on the subject of the South Carolina and Georgia resolutions, in opposition to the tariff laws and internal improvement, and requesting our Senators and Representatives in Congress to endeavour to procure effectual protection to the great staples of the United States, and to the manufactures of the same,

Was taken up ; whereupon,

Mr. Dodd submitted a resolution, that the Governor be requested to cause a copy of the foregoing resolution to be sent to each of the Senators and Representatives in Congress, from this State.

Which resolutions were then agreed to.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled A supplement to the act entitled An act to enable the owners of swamp or meadow ground to drain the same, and to repeal a law heretofore made for that purpose, passed the 24th day of November, 1792,

Without amendment.

And that the Council have passed the bill from the House of Assembly, entitled An act for the safety of passengers in steam boats and stages,

With amendments.

To which amendments they request the concurrence of the House of Assembly.

Which amendments were read, agreed to, and the bill, with the title amended by Council, so as to read, An act for the safety of travellers, was ordered to be re-engrossed ;

And the message informed, that the Council have passed the bill from the House of Assembly, entitled An act respecting the last will and testament of James Little, late of the county of Sussex, deceased ;

And the bill, entitled A supplement to an act entitled An act to incorporate the Salem Steam Mill and Manufacturing Company, in the county of Salem,

Respectively, without amendment.

And the Council have disagreed to the bill from the House of Assembly, entitled An act to incorporate the Paterson Center Market Association,

And the message informed, that the Council have passed the bill from the House of Assembly, entitled An act concerning escheats ; and

The bill, entitled An act to incorporate the Gloucester Manufacturing Company,

Respectively, with amendments.

To which amendments they request the concurrence of the House of Assembly.

Which amendments were read, agreed to, and the bills, as amended, ordered to be re-engrossed.

The engrossed bill, entitled An act to incorporate the Orange Bank, Was read a third time, and postponed.

The bill from Council, entitled an Act to incorporate the Belvidere Manufacturing Company,

Was read a third time.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,

Bee,

Carson,

Christie,

Coles,

Day,

Dodd,

Earl,

Emly,

Ewing, (Speaker.)

Foster,

Freas,

Green,

Hopping,

Kirkpatrick,

Messrs. Lloyd,

Mickle,

Mills,

Manson,

Parker,

Porter,

Robbins,

Seeley,

Snowhill,

Stryker,

Terhune,

Thompson,

Toy,

Van Riper,

Vroom,

NAYS.

Messrs. Farlee,

Messrs. Mott,
Townsend—3.*Ordered*, That the Speaker sign the same.*Ordered*, That the Clerk inform Council, that the House have passed said bill,

Without amendment:

The engrossed bill, entitled A supplement to an act entitled An act to incorporate the Phoenix Manufacturing Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled A further supplement to an act for the preservation of deer and other game, and to prevent trespassing with guns,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Bee,

Capner.

Carson,

Christie.

Coles,

Day,

Dodd,

Emly,

Farlee,

Freas,

Green,

Hopping,

Kirkpatrick,

Lloyd,

Messrs. Mickle,

Mills,

Mott,

Munson.

Parker,

Porter,

Robbins,

Seeley,

Sinnickson,

Snowhill,

Terhune,

Thompson,

Toy,

Van Riper,

Vroom—29.

NAYS.

Messrs. Ewing, (Speaker,) Foster,

Messrs. Stryker,

Townsend—4.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to incorporate the New Jersey Coal Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.*Ordered*, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The bill, entitled **An act to incorporate the Somerville Mining Company,**

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled **An act supplementary to an act relative to Insurance Companies,** passed 26th December, 1826,

Was read a second time, the first section disagreed to, and the bill dismissed.

The House adjourned to three o'clock in the afternoon.

Three o'clock the House met.

Mr. Jeffers presented a petition from inhabitants of the county of Salem, for a canal to shorten the navigation of Salem creek.

Which petition was read, and committed to Messrs. Jeffers, Green, and Thompson.

Mr. Parker presented petitions from inhabitants of the county of Middlesex, for a draw in the bridge over South river.

Which petitions were read, and committed to Messrs. Parker, Earl, and Lloyd.

Mr. Earl presented the following resolution :

Resolved, That a committee be appointed to enquire if any, and what, further provisions are necessary to the act concerning Sheriffs, and report by bill, or otherwise.

Which resolution was read, agreed to, and Messrs. Earl, Wall, and Dodd, accordingly appointed.

Mr. Carson, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled **An act to authorize the Bordentown and South Amboy Turnpike Company to erect a rail road.**

Which bill was read, and ordered a second reading.

Mr. Earl, from the committee to whom was referred the petition of sundry persons, inhabitants of the counties of Salem and Gloucester, complaining of the official conduct of one William Harrison, esq. a Justice of the Peace, of said county of Gloucester,

Report, That they have carefully examined the papers and accompanying affidavits, as well also divers persons who appeared before them, to give evidence agreeably to the process issued by the Honorable the Speaker of this House : Upon which investigation, it appears that the said William Harrison has not acted strictly according to law, in many instances ; yet, there was nothing proved before your committee, which induces them to believe that he designed to make use of his official authority as an instrument of ma-

lice or oppression. Your committee, therefore, are not willing to prefer articles of impeachment against the said Justice.

By order of the committee.

JOSHUA S. EARL, *Chairman.*

Which resolution was read, and agreed to.

The bill from Council, entitled An act to incorporate the Orange Bank,

Was called up.

On the question recurring, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Carson,
Chandler,
Christie,
Coles,
Day,
Dodd,
Earl,
Halsted,
Hopping,
Kirkpatrick,
Lloyd,

Messrs. Mickle,
Mills,
Munson,
Parker,
Robbins,
Snowhill,
Stryker,
Terhune,
Thompson,
Toy,
Van Riper,
Wall,

West—25.

NAYS.

Messrs. Bee,
Capner,
Emly,
Ewing, (Speaker,)
Farlee,
Foster,
Freas,

Messrs. Green,
Mott,
Porter,
Seeley,
Sinnickson,
Townsend,
Vroom,

Woodhull—15.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council that the House have passed said bill,

Without amendment.

The engrossed bill, entitled An act to enable Cornelius S. Van Waggoner, Andrew P. Hopper, and their associates, or the survivor, his, or their heirs or assigns, to erect a dam across the river Passaic,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Bee,
Capner,

Messrs. Christie,
Coles,
Day.

Messrs. Earl,
Farlee,
Foster,
Freas,
Green,
Hopping,
Kirkpatrick,
Lloyd,
Mills,
Mott,
Munson,

Messrs. Parker,
Porter,
Robbins,
Seeley,
Snowhill,
Stryker,
Terhune,
Toy,
Van Riper,
Vroom
West—28.

NAYS.

Messrs. Dodd,
Emly,
Ewing, (Speaker.)
Halsted,

Messrs. Mickle,
Sinnickson,
Thompson,
Townsend—8.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to incorporate the Salem Masonic Loan,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Carson,
Christie,
Coles,
Emly,
Ewing, (Speaker,)
Foster,
Freas,
Green,
Halsted,
Hopping,
Lloyd,

Messrs. Mickle.
Mills,
Mott,
Munson,
Parker,
Porter,
Seeley,
Sinnickson,
Snowhill,
Terhune,
Van Riper,
Vroom,

West—25.

NAYS.

Messrs. Bee,
Capner,
Dodd,
Farlee,
Kirkpatrick,

Messrs. Robbins,
Stryker,
Thompson,
Townsend,
Toy,

Woodhull—11.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House. and request th concurrence therein.

The bill, entitled An act to incorporate the Howell Works Company,

Was read a second time, gone through with by section, and ordered to be engrossed.

The House took up the bill, entitled A supplement to the act entitled An act more effectually to provide for the removal of all obstructions to the free course of the waters in the river Passaic and its branches, between Cook's bridge and the reef at the Little Falls next below the turnpike bridge, commonly called Singack Bridge.

Which was ordered to be engrossed.

The House resumed the consideration of the bill, entitled An act to authorize the chosen freeholders of the county of Gloucester, to build a draw bridge, over Nacott creek, at a place called Port Republic.

Which was ordered, to be engrossed.

A bill, entitled a further supplement to the act establishing a militia system.

Was read a second time, considered by section, and ordered to be engrossed.

The House resumed the consideration of the bill, entitled An act to regulate the travelling on the bridge, over the North river, in the county of Monmouth.

Which was ordered to be engrossed.

The bill, entitled An act to divorce Charity P. Miller from her husband, Caleb C. Miller.

Was read a second time, with the accompanying documents, considered by section, and ordered to be engrossed.

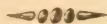
The bill, entitled An act to regulate the election of Representatives, in the Congress of the United States, on the part this State,

Was read a second time, the first section disagreed to, and the bill dismissed.

The bill, entitled An act to regulate and widen the draw in the bridges over the Hackensack river,

Was read a second time, considered by section, and ordered to be engrossed.

The House adjourned to ten o'clock to-morrow morning.



WEDNESDAY, February 27, 1828.

Ten o'clock the House met.

Messrs. Capner and Clifford, severally presented petitions from inhabitants of Hunterdon, against the removal of the seat of justice from Flemington to Lambertsville.

Which petitions were ordered to lie on the table.

Mr. Halsted presented a petition from inhabitants of the county of Essex, against permitting Foreign Insurance Companies, locating themselves in this State.

Which petition was read, and committed to Messrs. Halsted, Green, and Parker.

Mr. Chandler presented the petition of a number of the inhabitants of the county of Sussex, praying a law to authorize a turnpike road across the Blue Mountains, in the township of Wantage.

Which petition was read, and committed to Messrs. Chandler, Vroom, and Wall.

Mr. Earl, from the committee on that subject.

Reported a bill, entitled A further supplement to the act concerning Sheriffs.

Which bill was read, ordered a second reading, and to be printed.

Mr. Carson presented the petition of William Sheepshanks, and others, remonstrating against the passage of the bill authorizing the incorporation of the New Jersey Rail Road Company, and for the purpose of making a rail road from Bordentown to Amboy.

Which petition was read, and committed to Messrs. Carson, Toy, and West.

Mr. Woodhull, from the committee to whom was referred the bills for the renewal of the charters of the State Bank at Morris, the State Bank at Newark, the State Bank at Elizabeth, the State Bank at New Brunswick, and the State Bank at Camden,

Reported said bills, without amendment.

Which bills, on motion, were dismissed, and the parties permitted to withdraw their papers.

Mr. Earl, with leave, presented a bill, entitled An act to incorporate the Gloucester Works Company.

Which bill was read, and ordered a second reading.

Mr. Chandler, with leave, presented a bill, entitled An act to confirm certain acknowledgements of deeds, and other instruments taken by Aaron Decker, esq.

Which bill was read, ordered a second reading, and to be printed.

Mr. Marsh, with leave, presented a bill, entitled An act for the publication of Chancery Reports.

Which bill was read, ordered a second reading, and to be printed.

Mr. Toy submitted the following resolution :

Resolved, That the Clerk inform Council, that this House is ready to go into a joint meeting, for the appointment of Surrogates, Justices of the Peace, Commissioners, or such officers as may be deemed expedient and necessary, and request the Council to appoint the time and place, of said meeting.

Which resolution was read, and agreed to.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill, from the House of Assembly, entitled An act to alter and amend an act en-

titled An act to incorporate trustees of religious societies, passed the 12th day of June, 1799,

With amendments,

To which amendments they request the concurrence of the House of Assembly.

Which amendments were read, and ordered to lie on the table;

And the message informed, that the Council have passed the bill from the House of Assembly, entitled An act relative to a truss bridge, over Great Timber Creek, in the county of Gloucester,

Without amendment;

And that the Council have disagreed to the bill from the House of Assembly, entitled An act to incorporate the President, Trustees and Company of the Salem Masonic Loan;

And that the Council have disagreed to the amendment of the House of Assembly, made to the amendment from Council, to the bill from the House of Assembly, entitled An act to incorporate the Rahway Cotton Manufacturing Company.

Whereupon, the House receded from their amendment to the amendment from Council, agreed to the amendment made by Council to the said bill; and the same was ordered to be re-engrossed.

The bill, entitled An act to amend an act, entitled An act to prevent horse racing, passed February 15, 1811,

Was called up, and committed to Messrs. Lloyd, Freas, and Coles.

The re-engrossed bill, entitled An act for the safety of travellers, Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The re-engrossed bill, entitled An act concerning escheats, Was read, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The re-engrossed bill, entitled An act to incorporate the Gloucester Manufacturing Company,

Was read and compared,

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,

Bee,

Carson,

Chandler,

Christie,

Coles,

Day,

Earl,

Messrs. Emly,

Ewing, (Speaker,)

Foster,

Freas,

Green,

Halsted,

Hopping,

Kirkpatrick.

Messrs. Lloyd,
Marsh,
Mickle,
Mills,
Munson,
Parker,
Porter,
Seeley,
Sinnickson,

Messrs. Snowhill,
Stryker,
Terhune,
Thompson,
Toy,
Van Riper,
Vroom,
Wall,
Woodhull—34.

NAYS.

Messrs. Capner,
Clifford,
Farlee,

Messrs. Mott,
Robbins,
Townsend—6.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that the amendments made thereto by Council have been agreed to by this House, and that they have caused said bills to be re-engrossed.

The engrossed bill, entitled an Act to incorporate the Somerville Mining Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, and inform them that it has been passed by this House, and request their concurrence therein.

The House resumed the consideration of the bill, entitled An act to prevent frauds by incorporated companies, and for other purposes.

Which was progressed in by section, and while under consideration,

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Messrs. Clifford and Farlee, severally presented petitions from inhabitants of Hunterdon county, against the passage of a law to hold an election to determine the seat of justice, in said county.

Which were ordered to lie on the table.

The Speaker laid before the House, the following communication from his excellency the Governor:

EXECUTIVE DEPARTMENT,

February 27, 1828.

SIR—I received, by the last mail, from the Governor of the state of Ohio, the enclosed resolutions of the General Assembly of

that state, in reply to the resolutions from the Legislature of South Carolina, respecting the constitutional powers of the General Government; and which I will thank you to lay before the House, over which you have the honor to preside.

I am, with great consideration,

Your most obedient servant,

I. H. WILLIAMSON.

Hon. WM. B. FLOWING,

Speaker of the House of Assembly.

Which communication, and the accompanying document, were read, and ordered to lie on the table.

Mr. Dodd, from the joint committee of the Council and Assembly, to which was referred the message of the Governor, and the report of the commissioners appointed to settle the question of territory and jurisdiction, in dispute with the state of New York,

Reported a bill, entitled An act concerning the question of boundary and jurisdiction existing between the states of New Jersey and New York;

And a bill, entitled An act relative to the fisheries in the Hudson river and New York bay, within the limits and jurisdiction of the state of New Jersey.

Which bills were severally read, ordered a second reading, and to be printed.

Mr. Parker, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to provide for the construction of a draw bridge over South river, on the Bordentown and South Amboy turnpike road.

Which bill was read, and ordered a second reading.

Mr. Woodhull, from the committee to whom was referred the joint resolution of the legislature of the state of Alabama, disapproving certain resolutions of the states of Delaware, Connecticut, Illinois, and Indiana; concurring with a resolution of the state of Ohio, proposing the emancipation of slaves, and a resolution of the Legislature of New Jersey, recommending a system of foreign colonization,

Reported, That the Legislature of the State of New Jersey, having already expressed their opinion on the subject matter of the resolution, are of opinion, that nothing further on the subject is necessary at this time.

Which report was read, and agreed to.

Mr. Freas, from the committee to whom was referred the petition of sundry inhabitants of the township of Centerville and Pittsgrove, in the county of Salem, praying a repeal of an act, establishing a township, called Centerville,

Reported, That the petitioners have leave to present a bill on the second Tuesday of the sitting of the next Legislature, the petitioners advertising the same, for the space of six weeks in a newspaper printed in said county.

Which report was read, and agreed to.

The engrossed bill, entitled An act, to regulate and widen the draws in the bridges, over the Hackensack river,

Was called up and re-committed.

Mr. Mott, from the committee to whom was referred the statements of the affairs of the Washington Banking Company, at Hackensack, New Jersey; the Monmouth Bank, and the People's Bank at Paterson,

Reported, That they have examined, and as far as in their power, fully investigated the statements exhibited, from which they draw the following results:

WASHINGTON BANKING COMPANY, at Hackensack, New Jersey.

Notes in circulation, viz.

Of the Weehawk Bank, \$718 50

Washington Bank, 56,279 50

\$56,998 00

Amount due depositors,

7,848 08

\$64,846 08

To pay which, they have specie on hand,

\$10,139 18

New York funds,

1,287 00

Loans on securities,

44,116 12

Sundry accounts, due bills, and checks on demand,

39,573 81

Bills discounted,

\$5,500 52

Real estate, say banking house,

4,800 00

\$135,416 63

Deducts notes in circulation and deposits,

64,846 08

Leaving,

\$70,570 55

Capital stock paid in, in 1824,

56,030 00

Do. do. 1827,

37,430 00

\$93,460 00

Deduct balance over circulation and deposits,

70,570 55

Sunk of the capital stock paid in,

22,889 45

The above loss accounted for by, bonus and taxes
on stock

5,560 30

General expences,

17,243 64

Profit and loss, and notes under protest,

8,672 89

\$1,476 83

Deduct interest, discount and exchange accounts,

8,587 38

Leaving a loss of

\$22,889 45

MONMOUTH BANK.

Notes in circulation,

39,202 00

Deposits,

2,363 12

\$41,565 12

To pay which, they have specie on hand,	\$14,180 61	
Foreign notes,	351 00	
	<hr/>	\$14,531 61
Notes and debts due the Bank,		59,782 45
Balance in the hands of agent in New York,		76 05
Banking house, vaults, iron chest, &c.		2,249 10
		<hr/>
Deduct notes in circulation and deposits,		\$76,639 21
		41,565 12
		<hr/>
Loss on the business,		\$85,074 09
		4,925 91
		<hr/>
Amount of capital paid in,		\$40,000 00
To account for this loss, they give,		
Bonus paid the state, salaries, taxes, &c.		\$4,773 03
Bad debt, by steam boat concern,		7,043 69
		<hr/>
		\$11,816 72
Deduct discounts and interest received,		6,890 81
		<hr/>
Sunk of the capital,		4,925 91
[This Bank has declared no dividend.]		
THE PEOPLE'S BANK, at Paterson.		
Bank notes in circulation.		\$79,420 50
Amount due depositors,		21,777 18
Dividends unpaid,		142 50
Newark banking and Insurance company,		76 61
		<hr/>
		\$104,416 79
To pay which, they have specie on hand,		5,759 07
Balance in Merchants' Bank, New York,		15,376 11
Bills receivable,		134,846 15
Paterson Bank,		185 28
Other debts and funds,		21,234 98
		<hr/>
		\$177,401 59
Deduct bank notes in circulation, deposits, dividends unpaid, and Newark Banking and Insurance Company,	\$104,416 79	
Profit and loss account,	1,191 85	
	<hr/>	105,608 64
		<hr/>
Leaving,		71,792 95
[In which is included \$792 95, which they call a surplus fund,]		
Sunk of the capital,		3,207 05
		<hr/>
Amount of capital paid in.		\$75,000 00

This loss of capital has occurred by the bonus of \$4,000, paid the state, having been taken from the capital stock, which in the opinion of the committee, ought to have been considered a debt, or expense, which should have been discharged before any dividends were declared.

In making out their statements, the banks have not sufficiently designated what part of their funds are available, and what are not; the committee have therefore confined themselves to the statements of the banks themselves, in coming to the foregoing results.

Which report was read, ordered to lie on the table, and to be printed.

Mr. Carson, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to incorporate the Bordentown Rail Road Company.

Which bill was read, and ordered a second reading.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill, from the House of Assembly, entitled An act to incorporate the Paterson Fire Insurance Company, in the counties of Essex and Bergen,

Without amendment.

The engrossed bill, entitled A further supplement to the act establishing a militia system,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Bee,
Carson,
Chandler,
Christie,
Coles,
Day,
Earl,
Emly,
Ewing, (Speaker.)
Farlee,
Foster,
Freas,
Green,
Kirkpatrick,
Lloyd,

Messrs. Marsh,
Mickle,
Mills,
Mott,
Parker,
Porter,
Robbins,
Seeley,
Sinnickson,
Snowhill,
Stryker,
Thompson,
Townsend,
Toy,
Van Riper,

Vroom—31.

NAYS.

Messrs. Armstrong,
Capner,
Clifford,
Dodd,
Halsted.

Messrs. Hopping,
Munson,
Terhunc,
West,
Woodhull—10.

Ordered, That the Speaker sign the same.
The engrossed bill, entitled An act to divorce Charity P. Miller,
from her husband,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Bee,
Capner,
Carson,
Chandler,
Christie,
Clifford,
Coles,
Day,
Dodd,
Earl,
Emly,
Ewing, (Speaker.)
Farlee,
Freas,
Foster,
Halsted,

Messrs. Hopping,
Kirkpatrick,
Lloyd,
Marsh,
Mickle,
Mills,
Mott,
Munson,
Porter,
Seeley,
Sinnickson,
Snowhill,
Thompson,
Townsend,
Toy,
Van Riper,
West—34.

NAYS.

Messrs. Green,
Parker,
Robbins,
Stryker,

Messrs. Terhune,
Vroom
Wall,
Woodhull—8.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House again resumed the consideration of a bill, entitled An act to prevent frauds by incorporated companies, and for other purposes.

Which was further progressed in, by section, and while under consideration,

The House adjourned to ten o'clock to-morrow morning.

THURSDAY, February 28, 1828

Ten o'clock the House met.

Messrs. Clifford and Farlee, severally presented petitions from inhabitants of Hunterdon county, against the passage of a law for an election to determine the seat of justice of Hunterdon county.

Which petitions were ordered to lie on the table.

Mr. Chandler presented a petition from inhabitants of Sussex, for a law to confirm certain acknowledgements of deeds and other writings, by Aaron Decker, esq. a commissioner of said county.

Which petition was ordered to lie on the table.

Mr. Seeley presented a petition from inhabitants of Fairfield, Cumberland county, for a law to authorize them to stop the several forks of Antuxet creek.

Which petition was read, and committed to Messrs. Seeley, Snowhill, and Stryker.

Mr. Carson, from the committee to whom was referred the bill, entitled An additional supplement to the act entitled An act for the punishment of crimes, passed the 18th day of March, A. D. 1796,

Reported the said bill, with an amendment.

Which amendment was read, agreed to, and the bill ordered a second reading.

Mr. Carson, from the joint committee to whom was referred the resolution, on the subject of the School Fund, begs leave to

Report as follows: That they have had the subject under due consideration, and have ascertained that the present amount of the School Fund, is two hundred and thirteen thousand eight hundred and forty dollars and twenty-eight cents—a sum, in the opinion of your committee, too small to induce them to recommend, at present, a distribution of the yearly interest occurring thereon, among the several counties of this State; but, in order the sooner to carry into operation, so great and beneficial a purpose, as that of disseminating among the poorer class of the community useful education, upon which the well being of society very much depends. Your committee earnestly recommend the passage of a law, appropriating the whole of the bank tax towards increasing the aforesaid School Fund, and beg leave to report a bill for that purpose.

By order of the committee.

CHARLES CARSON, *Chairman.*

Which bill, entitled An act to augment the fund for the support of free schools,

Was read, ordered a second reading, and to be printed.

Mr. Woodhull, from the committee to whom was referred the memorial of a number of inhabitants of the counties of Monmouth and Burlington, praying that a law might be passed, authorizing a new county to be set off, to be called Atlantic,

Reported, That the applicants have liberty to bring in a bill for that purpose, on the first Wednesday of the sitting of the next Legislature—having previously advertised their intention so to do, for six weeks, in three of the most public places in the township of Dover, and in the township of Stafford, in the county of Monmouth, and three of the most public places in the township of Little Egg Harbour, in the county of Burlington, and three weeks in the Monmouth Journal, and three weeks in the New Jersey Mirror.

Which report was read, and dismissed.

Mr. Lloyd, from the committee to whom was referred the bill, entitled An act to amend an act entitled An act to prevent horse racing, passed February 15th, 1811,

Reported said bill, without amendment.

Which, on motion, was dismissed.

Mr. Lloyd also reported, as a substitute, a bill, entitled An act to encourage the breed of horses.

Which bill was read, and ordered a second reading.

Mr. Christie, to whom was referred the bill, entitled An act to regulate and widen the draws in the bridges over Hackensack river,

Reported the same, with an amendment.

Which amendment was read, agreed to, and the bill as amended, ordered to be engrossed.

Mr. Halsted, with leave, presented a bill, entitled An act to compel the attendance of witnesses before judges, commissioners of bails and affidavits, and commissioners under foreign commissions.

Which bill was read, ordered a second reading, and to be printed.

The message of the Governor of this State, transmitting certain resolutions of the legislature of Vermont,

Was called up, and committed to Messrs. Green, Marsh, and Day.

The communication of the Governor, transmitting certain resolutions of the general assembly of Ohio,

Was called up, and committed to Messrs. Woodhull, Seeley, and Kirkpatrick.

The report of the committee on the subject of the resolutions from Maine and Connecticut, respecting the funds that may be appropriated by the general government, to the purposes of internal improvement,

Was called up, read, and ordered to lie on the table.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council will be ready to go into a joint

meeting, for the appointment of Surrogates, Justices of the Peace, Commissioners, or such officers as may be deemed expedient and necessary, on Saturday morning next, at ten o'clock, in the Assembly room ;

And that the Council have disagreed to the bill from the House of Assembly, entitled A further supplement to an act for the preservation of deer and other game, and to prevent trespassing with guns ;

And that the Council have passed a bill, entitled A supplement to an act entitled An act to incorporate the New Brunswick Steam Boat Ferry Company, passed 10th December, 1823.

To which bill they request the concurrence of the Council.

Which bill was read, and ordered a second reading.

The House again resumed the consideration of the bill, entitled An act to prevent frauds by incorporated companies, and for other purposes.

Which was gone through with by section, and ordered to be engrossed.

The engrossed bill, entitled A supplement to the act entitled An act more effectually to provide for the removal of all obstructions to the free course of the waters in the river Passaic, and its branches, between Cook's bridge and the reef at the Little Falls, next below the turnpike bridge, commonly called Singack bridge.

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to regulate the travelling on the bridge over the North river, in the county of Monmouth,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to authorize the chosen freeholders of the county of Gloucester, to build a draw bridge over Nacott creek, at a place called Port Republic,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong.

Bee,

Capner,

Carson,

Chandler,

Clifford,

Christie,

Cobb,

Messrs. Day.

Earl,

Emly,

King, (Speaker.)

Farlee,

Foster,

Freas,

Hartshorn.

Messrs. Hopping,
 Jeffers,
 Kirkpatrick,
 Lloyd,
 Marsh,
 Mott,
 Parker,
 Porter,
 Robbins,
 Seeley,

Messrs. Sinnickson,
 Snowhill,
 Stryker,
 Terhune,
 Thompson,
 Townsend,
 Toy,
 Van Riper,
 Vroom,
 West,

Woodhull—37.

NAYS.

Mr. Mickle,

Mr. Wall—2.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to regulate and widen the draws in the bridges over the Hackensack river,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Capner,
 Chandler,
 Christie,
 Clifford,
 Earl,
 Emly,
 Ewing, (Speaker),
 Farlee,
 Freas,
 Green,
 Jeffers,
 Kirkpatrick,
 Lloyd,

Messrs. Mott,
 Munson,
 Parker,
 Porter,
 Robbins,
 Seeley,
 Stryker,
 Terhune,
 Thompson,
 Toy,
 Van Riper,
 Vroom,
 Wall,

West—27.

NAYS.

Messrs. Armstrong,
 Coles,
 Day,
 Foster,
 Halsted,
 Marsh,

Messrs. Mickle,
 Mills,
 Sinnickson,
 Snowhill,
 Townsend,
 Woodhull—12.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon.

Three o'clock the House met.

Mr. Halsted, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act appointing a trustee to sell and convey the undivided interest of Thomas Gibbons Trumbull, in certain real estate.

Which bill was read, and ordered a second reading.

The House took up the amendment made by Council, to the bill from the House, entitled An act to alter and amend an act entitled, An act to incorporate trustees of religious societies, passed 12th June, 1799.

Which amendments, with the bill amended, so as read A supplement to the act entitled An act to incorporate the trustees of religious societies, passed 12th June, 1799, and the bill, as amended, ordered to be re-engrossed.

The bill, entitled an act to incorporate the New Jersey Interest and Savings Bank,

Was read a second time, and postponed to the sitting of the next Legislature.

The bill, entitled An act to provide for the removal of obstructions to the free course of the waters in Parsippany Brook, the Scow Ditch, and Company Ditch, in the township of Hanover, in the county of Morris,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled An act to encourage the raising of money for the education of poor children,

Was called up, and committed to Messrs. Woodhull, Green and Thompson.

The bill, entitled A supplement to an act for the more easy partition of lands held by co-parceners, joint tenants, and tenants in common,

Was read a second time, the first section disagreed to, and the bill dismissed.

The re-engrossed bill, entitled An act to incorporate the Rahway Cotton Manufacturing Company,

Was read, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Carson,
Christie,

Messrs. Coles,
Day,
Earl.

Messrs. Emily,
Ewing, (Speaker.)
Foster,
Freas,
Green,
Halsted,
Hopping,
Jeffers,
Kirkpatrick,
Lloyd,

Messrs. Marsh,
Mickle,
Mills,
Munson,
Porter,
Seeley,
Stryker,
Terhune,
Toy,
Van Riper,

West—27.

NAYS.

Messrs. Capner,
Clifford,
Farlee,

Messrs. Robbins,
Townsend,
Wall,

Woodhull—7.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that the amendment made thereto by Council, was agreed to by this House, and that they have caused said bill to be re-engrossed.

Mr. Woodhull, from the committee to whom was referred the bill, entitled An act to encourage the raising of money for the education of poor children,

Reported the same, with an amendment.

Which amendment was read, and agreed to, the bill read a second time, considered by section, and ordered to be engrossed.

Mr. Jeffers, with leave, presented a bill, entitled An act providing for the division of estates, in certain cases.

Which was committed to Messrs. Wall, Jeffers, and Green.

The House adjourned to ten o'clock to-morrow morning.



FRIDAY, February 29, 1828.

Ten o'clock the House met.

Mr. Vroom presented the petition of the heirs and devisees of Joshua Doty, late of Somerset county, deceased, praying a law to authorize the sale of real estate.

Which petition was read, and committed to Messrs. Vroom, Townsend, and Bee.

Messrs. Clifford and Capner, severally, presented petitions from inhabitants of Hunterdon county, remonstrating against an election for determining the seat of justice, in said county.

Which petitions were ordered to lie on the table.

Mr. Carson, from the committee to whom was referred the petition of a number of the inhabitants of the county of Middlesex, praying for an alteration in the act entitled An act concerning inns and taverns,

Reported, That in the opinion of the committee, the alteration in the law, asked for by the petitioners, is, at this time, unnecessary.

Which report was read, and agreed to.

Mr. Marsh submitted the following resolution :

Resolved, That a committee be appointed to examine the files of the House, and ascertain and report the business necessary and proper to be acted on, during the present session.

Which resolution was read, agreed to, and Messrs. Marsh, Earl, and Carson accordingly appointed.

Mr. Vroom submitted the following resolution :

Resolved, That the Treasurer be required to report to this House, an estimate of the probable expenses of the State, for the ensuing year, and of the amount necessary to be raised for the purpose of meeting the same.

Which resolution was read, and agreed to.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill, from the House of Assembly, entitled An act to enable Cornelius S. Van Waggoner, Andrew P. Hopper, and their associates, or the survivor, his, or their heirs, or assigns, to erect a dam across the river Passaic,

Without amendment ;

And that the Council have passed the bill from the House of Assembly, entitled An act appointing commissioners to settle the boundary line between the county of Gloucester and the counties of Salem and Cumberland,

With amendments.

To which amendments they request the concurrence of the House of Assembly.

Which amendments were read, and disagreed to, and the Clerk ordered to inform Council accordingly ;

And the message informed, that the Council have passed a bill, entitled An act to incorporate the Franklin Manufacturing Company, in the county of Sussex ;

And a bill entitled A supplement to the act entitled An act to incorporate a part of the township of Newton, in the county of Gloucester, passed February 13. 1828.

To which bills they request the concurrence of the House of Assembly.

Which bills were severally read, and ordered a second reading.

The bill, entitled A further supplement to an act entitled An act concerning inns and taverns,

Was read a second time, the first section disagreed to, and the bill dismissed.

The bill, entitled A supplement to an act entitled An act regulating fences,

Was read a second time, the first section disagreed to, and the bill dismissed.

The House resumed the consideration of the bill from Council, entitled An act supplementary to an act entitled An act to incorporate a Company to extend the Paterson and Hamburg turnpike, to the Hudson river, passed the 16th February.

Which was gone through with by section, and ordered a third reading.

The re-engrossed bill, entitled An act to alter and amend an act entitled An act to incorporate trustees of religious societies, passed 12th June, 1799,

With the amendments, and the title so amended, as to read A supplement to the act entitled An act to incorporate trustees of religious societies, passed 12th June, 1799,

Was read, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that the amendments made thereto by Council have been agreed to by this House, and that they have caused said bill to be re-engrossed.

The engrossed bill, entitled an Act to incorporate the Howell Works Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,

Bee,

Carson,

Chandler,

Christie,

Clifford,

Coles,

Day,

Earl,

- Emly,

Farlee,

Foster,

Green,

Halsted,

Hopping,

Jeffers,

Kirkpatrick,

Lloyd.

Messrs. Marsh,

Mickle,

Mills,

Munson,

Parker,

Porter,

Robbins,

Seeley,

Sinnickson,

Snowhill,

Stryker,

Terhune.

Thompson,

Toy,

Van Riper,

Vroom,

West,

Woodhull -- 86

NAYS.

Messrs. Ewing, (Speaker.)
Freas,

Messrs. Mott,
Townsend—4.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to encourage the raising of money for the purposes of education,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Carson,
Chandler,
Christie,
Coles,
Day,
Earl,
Emly,
Ewing, (Speaker,)
Farlee,
Foster,
Freas,
Green,
Halsted,
Hopping,
Jeffers,
Kirkpatrick,
Lloyd,
Marsh,

Messrs. Mickle,
Mills,
Mott,
Munson,
Parker,
Porter,
Robbins,
Seeley,
Sinnickson,
Snowhill,
Stryker,
Terhune,
Thompson,
Townsend,
Toy,
Van Riper,
Vroom
West,
Woodhull—38.

NAYS.

Mr. Capner

Mr. Clifford—2.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Green, of Somerset, and Mr. Farlee, of Hunterdon, severally presented petitions from inhabitants of Hunterdon county, praying the passage of a law for the formation of a new county, to

be called Washington, out of parts of the counties of Hunterdon, Somerset, Middlesex, and Burlington.

Which petitions were ordered to lie on the table.

Mr. Carson, from the committee to whom was referred the petition of sundry persons, praying for a law to authorize them to erect a draw bridge over the South river, at or near Washington, in the county of Middlesex,

Reported, That the petitioners have leave to present a bill for that purpose, on the first Wednesday of the session of the next Legislature, by giving notice of their intentions so to do, by advertising the same in one of the newspapers printed at New Brunswick, for four weeks next preceding the said day.

Which report was read, and agreed to.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have disagreed to the bill, from the House of Assembly, entitled An act to repeal the act entitled An act to incorporate the Franklin Bank of New Jersey, to be located at the city of Jersey, in the county of Bergen.

The bill, entitled A further supplement to the act entitled An act to ascertain the power and authority of the Ordinary, and his Surrogates, to regulate the jurisdiction of the Prerogative Court, and to establish an Orphans' Court, in the several counties of this state,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled A supplement to an act to secure to creditors an equal and just division of the estates of debtors, who convey to assignees for the benefit of creditors,

Was read a second time, and postponed.

The engrossed bill, entitled An act to provide for the removal of obstructions to the free course of the waters in Parsippany Brook, the Scow Ditch, and Company Ditch, in the township of Hanover, in the county of Morris,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The House then went into a nomination of candidates for their respective offices, which were read, and a duplicate thereof sent to Council.

The House adjourned to nine o'clock to-morrow morning.

SATURDAY, March 1, 1828.

Ten o'clock the House met.

Messrs. Clifford and Farlee, severally presented petitions from inhabitants of Hunterdon county, against the passage of a law to determine the seat of justice in said county.

Which petitions were ordered to lie on the table.

Mr. Green presented petitions from inhabitants of Hunterdon, Somerset, Middlesex, and Burlington, praying a law to set off parts of said counties, into a separate county, to be called the county of Washington.

Which petition was committed to the committee on that subject.

Mr. Parker presented the memorial of Thomas Gordon, representing that his map of the State is nearly completed, submitting a specimen thereof to the Legislature, and soliciting legislative aid and patronage.

Which memorial was read, and referred to a member of each county, as a committee, consisting of Messrs. Parker, Kirkpatrick, Earl, Seeley, Capner, Dodd, Woodhull, Bee, Chandler, Townsend, Christie, Sinnickson, Armstrong, and Vroom,

The report of the joint committee, on the condition of the state prison, and the situation and affairs of that institution,

Was called up, agreed to, and the Clerk ordered to carry the same to Council, for consideration and approval.

The report of the committee, on the situation and affairs of the Washington Bank, at Hackensack, of the Monmouth Bank, and of the Peoples' Bank, at Paterson.

Was called up, and agreed to.

The bill from Council, entitled A supplement to the act entitled An act to incorporate a part of the township of Newton, in the county of Gloucester, passed February 13, 1828,

Was read a second time, considered by section, and ordered a third reading.

On motion, the said bill was read a third time.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The bill from Council, entitled An act supplementary to an act to incorporate a company to extend the Paterson and Hamburg turnpike, to the Hudson river,

Was read a third time.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,
Bee.

Messrs. Chandler,
Clifford.

Messrs. Coles,
Day,
Emly,
Ewing, (Speaker,)
Farlee,
Foster,
Freas,
Kirkpatrick,
Lloyd,
Marsh.
Mott,

Messrs. Munson,
Parker,
Porter,
Robbins,
Seeley,
Sinnickson,
Stryker,
Thompson,
Townsend,
Toy,
West.

Woodhull—27.

NAYS.

Messrs. Carson,
Christie,
Green,
Halsted,
Hopping,

Messrs. Mickle,
Snowhill,
Terhune,
Van Riper,
Vroom,

Wall—11.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council, that the House have passed said bills,

Without amendment.

The Council came into the Assembly room, the two Houses went into a joint meeting, and after going through their appointments in part, the joint meeting adjourned, the House came to order, and

Adjourned to three o'clock in the afternoon.



Three o'clock the House met.

The bill, entitled An act to divorce Mary Owens, from her husband, Peter Owens,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled An act to incorporate the Shrewsbury Steam Boat and Bath Buildings Company, in the county of Monmouth,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled An act to divorce Samuel Williams, from his wife, Mary Williams,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled An act to loan the credit of the State of New Jersey, to the Morris Canal and Banking Company,

Was read a second time, and while under consideration.

The Council came into the Assembly room, the two Houses went into a joint meeting, and after going through their appointments, the joint meeting rose, the Speaker resumed the chair, the House came to order, and

Adjourned to ten o'clock on Monday morning.



MONDAY, MARCH 3, 1828.

Ten o'clock the House met.

Mr. Green, from the committee to whom was committed the bill, entitled An act granting assistance to the New Jersey Colonization Society,

Reported the said bill, without amendment.

Which bill was read, and

On motion, postponed to the next session of the Legislature.

Mr. Green, from the committee to whom was referred the message of his excellency the Governor, together with the resolutions of the state of Vermont, in reference to the appropriation of a part of the revenue of the United States, to the purposes of internal improvement, and in reference to an amendment of the constitution of the United States, so as to prevent the election of President from devolving, in any event, upon the House of Representatives; and in reference to a resolution, recommending a system of foreign colonization of the free blacks; and also the memorial of the convention of delegates, assembled at Trenton, on the 22d day of August, 1827, on the subject of revising and amending the constitution of New Jersey.

Reported, That the several subjects of the above communications have already been referred to committees appointed by the House, who have either reported on, or are expected to report, during the present session. The committee, therefore, beg leave to be discharged.

Which report was read, and agreed to.

The Speaker laid before the House, the following report from the Treasurer:

*To the Honorable the General Assembly
of the State of New Jersey.*

GENTLEMEN—The Treasurer, in obedience to your resolution of the 29th ult. requiring him to lay before your honorable body, an estimate of the probable expenses of the Government, for the ensuing year, and the amount necessary to be raised to meet the same, has the honor to

REPORT—That the receipts for the present year, including a ba-

alance on hand, the 26th day of October, 1827, may be estimated as follows :

Balance on hand, 26th October, 1827,	\$21,482 22
State tax, due 20th January, 1828,	30,000
Bank tax, due 1st do.	10,400
Tax due from the Jersey Bank, for 1827,	1,000
Incidental receipts,	800
	<hr/>
Amount,	\$ 63,682 22

The disbursements for the same period, including appropriations, may be estimated as follows :

Expenses of Government for the present year,	\$ 36,000 00
Appropriations made by a law of 1826, to be taken in the capital stock of the Decker-town and Hamburgh turnpike,	5,000 00
One tenth of State tax, appropriated to school fund,	3,000 00
To be returned to the Delaware Oyster Company, for rent paid by them, upon condition that they surrender their charter,	1,000 00
	<hr/>
Making,	\$ 45,000 00

Balance in the Treasury, 28th October, 1828,	\$ 18,682 22
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From this, it appears, that the balance in 1828, will be less than at the settlement of 1827, by the sum of \$ 3,000.

The Treasurer finds, upon looking to the expenses of Government, for five years past, that the averaged annual expenditure, exclusive of special appropriation has been about \$35,000. There is an annual variation, both in the receipts and disbursements — Since 1825, the tax on bank stock has diminished nearly \$3,000, in the same time the State tax has been increased \$10,000.

The Treasurer cannot anticipate the appropriations, which the Legislature may find necessary to make, from year to year, nor can he estimate, with certainty, the expense for the annual sittings of your honorable body: as to all the other items, which the foregoing statement furnish, they may be considered nearly stationary. The anticipated expenses between the settlement of the Treasurer's accounts, in October, and the following January, upon a supposition, that the Legislature have but one sitting, will not be less than \$15,000 ; as there are no receipts between those periods, the balance, at the close of the accounts, in October, should not be less than that sum. The Treasurer now comes to the second requisition in your resolution; the expenses of the present year, are made dependent upon the revenue heretofore provided for, by law, so that a tax created by a law of the present Legislature must look to,

and be equal to meet the expenses of the subsequent year, as it will not be paid into the Treasury, until after the 20th of January, 1829. The Treasurer is of opinion, that not less than thirty thousand dollars ought to be raised, by a tax from the several counties, as one tenth of the sum to be raised, has been appropriated to the School Fund, which, when deducted, will leave but \$27,000, to be applied to the expenses of the State. The other annual receipts cannot be estimated at more than \$11,000, making together, an aggregate of \$38,000. Under the present organization of the government, \$36,000 will meet the annual expenses, unless the sittings of the Legislature exceed two months, in any one year.— By a continuation of the present revenue laws, the receipts will exceed that amount, between two and three thousand dollars, which will make the balance of 1829, equal to that of 1827. It will be perceived, that the diminution in the balance, the present year, has been produced by special appropriations, and that after the present year, the balance will gradually increase, by a continuation of the present revenue laws.

All of which is respectfully submitted,

By your obedient humble servant,

CHARLES PARKER.

Which report was read, ordered to lie on the table, and to be printed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled An act to incorporate the New Jersey Coal Company ;

And the bill from the House, entitled An act to incorporate the Howell Works Company,

Respectively, with amendments.

To which amendments they request the concurrence of the House of Assembly.

Which amendments were severally read, agreed to, and the bills, as amended, ordered to be re-engrossed ;

And the message informed, that the Council have passed the bill, from the House of Assembly, entitled An act to regulate the travelling on the bridge over North river, in the county of Monmouth,

Without amendment ;

And that the Council have receded from their amendments to the bill, from the House of Assembly, entitled An act appointing commissioners to settle the boundary line between the county of Gloucester, and the counties of Salem and Cumberland ;

And have passed the bill, without amendment.

The bill from Council, entitled An act to incorporate the Franklin Manufacturing Company, in the county of Sussex,

Was read a second time, gone through with by section, and ordered a third reading.

The bill, entitled An act for the relief of Garret Doremus, and Rachael Doremus,

Was read a second time, considered by section, and ordered to be engrossed.

The engrossed bill, entitled An act to prevent frauds by incorporated companies, and for other purposes,

Was read a third time, and postponed.

The bill, entitled An act directing the mode of determining the seat of justice, in the county of Hunterdon,

Was read a second time, and while under consideration,

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Capner presented petitions from the inhabitants of Hunterdon county, against an election to determine the seat of justice, in said county.

Which petitions were ordered to lie on the table.

Mr. Green presented petitions from a number of inhabitants of Hunterdon, Somerset, Middlesex, and Burlington, for a new county, to be called Washington, to be formed out of parts of said counties.

Which petition was referred to the committee on that subject.

Mr. Carson presented the petitions of Thomas Applegate, of Middlesex county, praying authority to sell a female slave out of the State, who had been guilty of burning barns and other buildings.

Which petition was read, and committed to Messrs. Carson, Stryker, and Lloyd.

Mr. Capner presented a petition from Delilah Rea, of Hunterdon county, praying to be divorced from her husband, Isaac Rea.

Which petition was read, and committed to Messrs. Capner, Terhune, and Snowhill.

Mr. Marsh, from the joint committee of Council and Assembly, to whom was referred the resolution, for the appointment of a committee, to examine and report the business before the two Houses,

Reported the following list of unfinished business :

1. An act granting assistance to the New Jersey Colonization Society.
2. An act concerning free people of color.
3. An additional supplement to the act entitled An act for the punishment of crimes, passed the 18th day of March, 1790.
4. An act supplementary to the act entitled An act relative to the Supreme and Circuit Courts

5. An additional supplement to an act entitled An act to incorporate the New Jersey Turnpike Company, passed 27th February, 1806.

6. An act to incorporate the Warren, Morris, and Essex Rail Road Company.

7. A supplement to the act entitled An act concerning roads.

8. A further supplement to an act entitled An act constituting courts for the trial of small causes.

9. An act supplementary to the act entitled An act constituting courts for the trial of small causes.

10. An act to prevent frauds by incorporated companies, and for other purposes.

11. A supplement to an act entitled An act to enable William S. Pennington, of the county of Essex, to carry into effect a trust therein named.

12. An act to exempt students of academies from militia duty.

13. An act to authorize a bridge over the canal between South river and Raritan river.

14. An act to incorporate the New Jersey Rail Road Company.

15. An act to incorporate the Washington Turnpike Company, in the county of Middlesex.

16. A further supplement to the act entitled an act to ascertain the power and authority of the Ordinary and his Surrogates, to regulate the jurisdiction of the Prerogative Court, and to establish an orphans' court in the several counties of this State.

17. An act to constitute the first battalion of the fifth regiment of the Essex brigade, into a regiment, to be called and known by the name of the Fifth Regiment of the Essex Brigade.

18. A supplement to the act to leave creditors an equal and just division of the estate of debtors, who convey to assignees for the benefit of creditors.

19. A supplement to the act entitled an act regulating the money of account in this State.

20. An act to incorporate the Shrewsbury Steam Boat and Bath Buildings Company, in the county of Monmouth.

21. An act to divorce Mary Owens, from her husband, Peter Owens.

22. An act to divorce Samuel Williams, from his wife, Mary Williams.

23. An act to loan the credit of this State to the Morris Canal and Banking Company.

24. An act to divorce Sarah Kent, from her husband, Amariah Kent.

25. An act for the relief of Samuel Doremus and Rachael Doremus.

26. An act directing the mode of determining the seat of justice in the county of Hunterdon.

27. An act appointing trustees to sell and convey the real estate of Flavel Woodruff, deceased.

28. An act to raise the sum of thousand dollars, for the year of our Lord, 1828.

29. An act to authorize the trustees of Mrs. Hannah Kinney, to sell and convey real estate.

30. An act to prevent trespasses on the salt meadows, in the township of Newark.

31. An act to incorporate the Woodstown Fire Engine Company, of Salem county.

32. An act to abolish imprisonment for debt, in certain cases.

33. An act relating to the probate of wills.

34. A supplement to the act entitled An act to enable the owners of tide swamps and marshes, to improve the same, and the owners of the meadows already banked in and field by different persons, to keep the same in good repair.

35. An act to authorize the Bordentown and South Amboy Turnpike Company, to erect a rail road.

36. A further supplement to the act concerning Sheriffs.

37. An act to incorporate the Gloucester Works Company.

38. An act to confirm certain acknowledgments of deeds and other instruments, taken by Aaron Decker, Esq.

39. An act for the publication of chancery reports.

40. An act concerning the question of boundary and jurisdiction, existing between the states of New Jersey and New York.

41. An act relative to the fisheries in the Hudson river, and New York bay, within the limits of New Jersey.

42. An act to provide for the construction of a draw bridge over South river, on the Bordentown and South Amboy turnpike road.

43. An act to incorporate the Bordentown Rail Road Company.

44. An act to augment the fund for the support of free schools.

45. An act to compel the attendance of witnesses before the judges and commissioners of bails and affidavits, and commissioners under foreign commissions.

46. An act appointing a trustee to sell and convey the undivided interest of Thomas Gibbons Trumbull, in certain real estate.

47. A supplement to an act entitled An act to incorporate the New Brunswick Steam Boat Company.

48. An act providing for the division of estates, in certain cases.

49. An act to incorporate the Franklin Manufacturing Company.

50. Report of committee relative to oyster beds, in Amboy bay.

51. Resolution for the appointment of a committee, to enquire respecting the rules of this House.

BILLS BEFORE COUNCIL.

1. An act to provide for the removal of obstructions to the free course of the waters in Parsippany Brook, the Scow Ditch, and Company Ditch, in the township of Hanover.

2. An act relative to the Franklin Bank.

3. An additional supplement to the act entitled An act to incorporate the Orange and Sussex Canal Company.

4. A supplement to an act to incorporate the Phoenix Manufacturing Company.

5. An act to incorporate the Morris County Iron Manufacturing Company.

6. A further supplement to the act establishing a militia system.

7. An act to encourage the raising of money, for the purposes of education.

8. An act relative to the navigation of Woodbury creek, in the county of Gloucester.

9. A supplement to the act entitled An act the more effectually to remove obstructions in Passaic river, &c.

10. An act to authorize the chosen freeholders of the county of Gloucester, to build a draw in the bridge over Nacott creek, at a place called Port Republic.

11. An act to change the time of holding certain courts in the county of Sussex.

12. A supplement to the act respecting mortgages.

13. An act for the relief of the State Bank, at Trenton.

14. A further supplement to the act concerning taxes.

15. An act to incorporate the Gloucester and Amboy Rail Road Company.

16. An act to provide for the improvement of the internal navigation of the state.

15. A supplement to the act entitled An act concerning inns and taverns.

18. An act to divorce Richard Bruen, from his wife, Rebecca.

19. Report of the committee on the South Carolina and Georgia resolutions.

20. Report of surviving trustees of the Lombard Bank.

21. Report of the Adjutant General.

22. Report of the joint committee on the State Prison accounts. Which report was read, and ordered to lie on the table.

Mr. Day submitted the following resolution :

Resolved, That the Treasurer of this State be authorized to provide suitable grates in the Assembly Room, for the burning of coal.

Which resolution was read, and ordered to lie on the table.

The engrossed bill, entitled An act to prevent frauds by incorporated companies, and for other purposes,

Was called up.

On the question recurring, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Bee,

Capner,

Carson,

Christie,

Clifford,

Messrs. Coles,

Earl,

Ewing, (Speaker,

Farlee,

Foster,

Messrs. Freas,
Green,
Hopping,
Lloyd,
Mott,
Munson,
Porter,
Robbins,
Seeley,
Sinnickson,

Messrs. Snowhill,
Stryker,
Terhune,
Townsend,
Toy,
Van Riper,
Vroom
Wall,
West,
Woodhull—30.

NAYS.

Messrs. Armstrong,
Chandler,
Day,
Dodd,

Messrs. Jeffers,
Marsh,
Mickle,
Mills,

Parker—9.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The House resumed the consideration of the bill, entitled An act directing the mode of determining the seat of justice in the county of Hunterdon ;

And on the question of agreeing to the first section of said bill, the yeas and nays being required, were as follows :

YEAS.

Messrs. Carson,
Chandler,
Christie,
Coles,
Day,
Dodd,
Earl,
Ewing, (Speaker,)
Foster,
Freas,

Messrs. Green,
Halsted,
Hopping,
Mott,
Parker,
Porter,
Seeley,
Stryker,
Terhune,
Van Riper,

Wall—21.

NAYS.

Messrs. Armstrong,
Bee,
Capner,
Clifford,
Farlee,
Jeffers,
Kirkpatrick,
Lloyd,
Marsh,
Mickle.

Messrs. Mills,
Munson,
Robbins,
Sinnickson,
Snowhill,
Townsend,
Toy,
Vroom,
West,
Woodhull—20.

So the first section was agreed to.

The bill was then gone through with by section, and on the question of engrossing the same, the yeas and nays being required, were as follows :

YEAS.

Messrs. Carson,
Chandler,
Christie,
Coles,
Day,
Dodd,
Earl,
Ewing, (Speaker,
Foster,
Freas,
Green,

Messrs. Halsted,
Hopping,
Lloyd,
Mott,
Parker,
Porter,
Seeley,
Stryker,
Terhune,
Van Riper,
Wall,

Woodhull—23.

NAYS.

Messrs. Armstrong,
Bee,
Capner,
Clifford,
Farlee,
Jeffers,
Kirkpatrick,
Marsh,
Mickle,

Mills,
Munson,
Robbins,
Sinnickson,
Snowhill,
Thompson,
Townsend,
Toy,
Vroom,

West—19.

So the bill was ordered to be engrossed ; and

The House adjourned to nine o'clock to-morrow morning.



TUESDAY, March 4, 1828.

Nine o'clock the House met.

Mr. Carson, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to authorize Thomas Applegate, to transport a slave.

Which bill was read, and ordered a second reading.

Mr. Green presented petitions from inhabitants of Hunterdon, Somerset, Middlesex, and Burlington, for a new county to be composed of parts of said counties.

Which petition was ordered to lie on the table.

Mr. Earl, from the committee to whom was referred the several proposals for printing the laws, law reports, and votes and proceedings of the Assembly,

Reported, That they have examined the proposals submitted to them, and respectfully recommend, that William L. Prall be appointed to print the laws of the present session, at \$29 per sheet ; that Joseph Justice be appointed to print the law reports of the ensuing year, at \$32 dollars per sheet ; and that Philip J. Gray, of Gloucester, be appointed to print the votes and proceedings of the House of Assembly of the present session, at \$25 per sheet, upon their respectively giving to the Treasurer of this State, bond, with satisfactory security, that said printing shall, in all things, be executed and delivered by them, according to law.

By order of the committee,

JOSHUA S. EARL, *Chairman*.

Which report was read, and agreed to.

Mr. Green submitted the following resolution :

Resolved, That there be delivered to each of the commissioners, appointed on the part of this State, to settle the question of territory and jurisdiction, in dispute with the state of New York ten copies, to each of our Senators and Representatives in Congress five copies, and to each of the members of the Assembly and Council five copies, of the message of his excellency the Governor, together with the report of the commissioners, appointed on the part of the State of New Jersey, to settle the question of territory and jurisdiction, in dispute with the state of New York.

Resolved, That twenty copies be deposited in the public library for the use of the State, and that the remainder be placed in the hands of the Governor, for distribution, to the executives of the several states, and otherwise, as he may think fit.

Which resolution was read, agreed to, the Speaker ordered to sign the same, and the Clerk ordered to carry the same to Council, and request their concurrence therein.

Mr. Parker submitted the following resolution :

Resolved, That the resolution by which the House agreed to rise on the 6th instant, be, and the same is hereby rescinded.

Resolved, That this House will rise on next, the instant.

Which resolution was read, and ordered to lie on the table.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed a bill, entitled A supplement to an act entitled An act concerning inns and taverns ;

A bill, entitled An act to incorporate the Morris County Iron Manufacturing Company ;

And a bill, entitled An act to divorce Richard Bruen, from his wife, Rebecca.

To which bills they request the concurrence of the House of Assembly.

Which bills were severally read, and ordered a second reading ;
And that the Council have agreed to the amendments made by the House of Assembly, to the bill from Council, entitled An act to change the time of holding certain courts in the county of Sussex ;

And have caused said bill to be re-engrossed ;

And that the Council have passed the bill, from the House of Assembly, entitled An act to divorce Charity O. Miller, from her husband, Caleb C. Miller ;

The bill, entitled An act for the relief of the stockholders of the Delaware and Raritan Canal Company ;

The bill, entitled An act to regulate and widen the draws in the bridges over the Hackensack river ;

The bill, entitled An act to incorporate the Somerville Mining Company ; and

The bill, entitled An act to encourage the raising of money for the purposes of education,

Respectively, without amendment ;

And that the Council have appointed Messrs. Pennington and Swain, a committee on their part, to examine the files, ascertain, and report the business necessary and proper to be acted on, during the present session.

The bill, entitled An act appointing trustees to sell and convey the real estate of Flavel Woodruff, deceased,

Was read a second time, the second and third sections disagreed to, and the bill dismissed.

The engrossed bill, entitled An act to raise the sum of thousand dollars, for the year of our Lord, 1828,

Was read a second time, gone through with by section, and the title so amended, as to read an act to raise the sum of thirty thousand dollars, for the year of our Lord, 1828.

The bill was then ordered to be engrossed.

The engrossed bill, entitled an act to loan the credit of the State of New Jersey, to the Morris Canal and Banking Company,

Was called up, and re-committed.

The engrossed bill, entitled An act to incorporate the Shrewsbury Steam Boat and Bath Buildings Company, in the county of Monmouth,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong.

Bee,

Carson,

Chandler,

Christie,

Clifford,

Coles,

Day,

Dodd,

Messrs. Earl,

Green,

Halsted,

Hopping,

Kirkpatrick,

Lloyd,

Marsh,

Mickle,

Mills.

Messrs. Mott,
Munson,
Parker,
Porter,
Robbins,
Sinnickson,
Snowhill,
Stryker,

Messrs. Terhune,
Thompson,
Townsend,
Toy,
Van Riper,
Vroom,
Wall,
West,

Woodhull—35.

NAYS.

Messrs. Capner,
Emly,
Ewing, (Speaker.)

Messrs. Farlee,
Foster,
Freas,

Seeley—7.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The bill from Council, entitled An act to incorporate the Franklin Manufacturing Company, in the county of Sussex,

Was read a third time.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Bee,
Capner,
Carson,
Chandler,
Christie,
Clifford,
Coles,
Day,
Earl,
Emly,
Farlee,
Foster,
Freas,
Green,
Halsted,
Hopping,
Kirkpatrick,

Messrs. Lloyd,
Marsh,
Mickle,
Mills,
Munson,
Parker,
Porter,
Robbins,
Seeley,
Sinnickson,
Snowhill,
Stryker,
Terhune,
Thompson,
Toy,
Van Riper,
Vroom,
West—36.

NAYS.

Mr. Ewing, (Speaker,)

Mr. Mott,

Mr. Townsend—3.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council that the House have passed said bill,

Without amendment.

The re-engrossed bill, entitled An act to incorporate the Howell Works Company,

Was read, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Bee,
Capner,
Carson,
Chandler,
Christie,
Clifford,
Coles,
Day,
Dodd,
Earl,
Emly,
Farlee,
Foster,
Green,
Halsted,
Hopping,
Kirkpatrick,

Messrs. Lloyd,
Mickle,
Mills,
Munson,
Parker,
Porter,
Robbins,
Seeley,
Sinnickson,
Snowhill,
Stryker,
Terhune,
Thompson,
Toy,
Van Riper,
Vroom,
West,
Woodhull—36.

NAYS.

Messrs. Ewing, (Speaker,) Freas,

Messrs. Mott,
Townsend—4.

Ordered, That the Speaker sign the same.

The re-engrossed bill, entitled An act to incorporate the New Jersey Coal Company,

Was read, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Bee,
Capner,
Chandler,
Christie,
Clifford,
Coles,
Day,
Dodd,
Earl,
Emly,
Ewing, (Speaker),
Farlee,

Foster,
Freas,
Green,
Halsted,
Kirkpatrick,
Lloyd,
Mickle,
Mills,
Mott,
Munson,
Parker,
Porter,
Robbins,

Messrs. Sinnickson,
Snowhill,
Stryker,
Terhune,
Thompson,

Messrs. Townsend,
Toy,
Van Riper,
Vroom,
West—36.

NAY.

Mr. Woodhull—1.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that the amendments made thereto by Council, have been agreed to by this House, and that they have caused said bills to be re-engrossed.

The engrossed bill, entitled An act to divorce Mary Owens, from her husband, Peter Owens,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Carson,
Clifford,
Coles,
Earl,
Farlee,
Freas,
Hopping,
Kirkpatrick.
Lloyd,

Messrs. Mickle,
Mills,
Mott,
Munson,
Snowhill,
Terhune,
Thompson,
Van Riper,
West—18.

NAYS.

Messrs. Christie,
Day,
Emly,
Ewing, (Speaker,)
Foster,
Green,
Marsh,
Parker,

Messrs. Porter,
Seeley,
Sinnickson,
Stryker,
Townsend,
Toy,
Vroom,
Woodhull—16.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Carson, of Middlesex, and Messrs. Stryker and Vroom, of Somerset, severally presented petitions in favour of the formation of

a new county, from parts of the counties of Hunterdon, Somerset, Middlesex, and Burlington.

Which petitions were referred to the committee on that subject.

Mr. Capner, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to dissolve the marriage contract between Isaac Rea, and Delilah, his wife.

Which bill was read, and ordered a second reading.

Mr. Green, from the committee to whom was referred the bill, entitled An act concerning free people of color,

Reported the same, without amendment.

Which, on motion, was dismissed.

Mr. Parker, from the committee to whom was referred the petitions of sundry inhabitants of this State, praying the adoption of measures to lessen and prevent the evils resulting from the unnecessary and intemperate use of ardent spirits,

Reported, That the evils consequent upon intemperance, in the use of ardent spirits, have long been noticed as constituting the great cause of intellectual and moral debasement among mankind—as a great source of crime, and tending, in their immediate effect upon the individual, to the loss of property—the loss of health and life, and, in fine, to the destruction of body and soul.

It is a misfortune, that, in this instance, as in many others, it is more easy to ascertain and define the evil, than to prevent or punish its commission.

The immediate effects of intemperance, are felt directly by the guilty individual, and only more remotely by others. It follows, of consequence, that mankind are not disposed to inflict a penalty on him who seems already to have been the instrument of his own punishment, and whose enfeebled body, and depraved mind, give evidence of his having already suffered a sufficient penalty for the crime. It is called a crime, because that must be such which destroys the body and mind of him who might otherwise be an useful member of society ; which prompts him to disregard the ties and duties which bind him to his family, to his friends, and to society ; which inflames and heightens all the malignant passions, and incites to the commission of all those crimes which are punishable by the laws of society.

The laws of this State, take cognizance of drunkenness as a violation of law, and it is punished by a fine, which, if not paid, subjects the offender to be put in the public stocks, as a punishment to himself, and a warning to others.

Mild as this punishment may seem, for a violation of law so baneful in its consequences, it is seldom, or never enforced as a preventive to the vice of drunkenness. No person is allowed to sell ardent spirits, in small quantities, without a license obtained from a court of Quarter Sessions of the county, or of some incorporated city, specially authorized so to do ; which license must be renewed annually : And it is made the duty of the Court “to license no

more inns and taverns in their respective counties, than shall be necessary to accommodate and entertain travellers and strangers; to serve the public occasions of the said counties, and for the convenience of many meeting together, to transact business."

As it regards the innkeeper, it is enacted, that no person shall be licensed, unless he be recommended by twelve respectable freeholders of the city or township, where the inn or tavern is intended to be kept, as are of good repute for honesty and temperance; and he must give security that he shall not keep a disorderly house, nor violate the laws respecting inns and taverns. No license is to be granted to shopkeepers, and they are restrained from giving liquor, so as to encourage drunkenness, by the penalty of a fine, as high as sixteen dollars. Persons who sell spirituous liquors, in small quantities, without license, are liable to indictment, and to be punished by fine; and it is forbidden to give, or sell spirituous liquors, at vendues, or at public trainings of the militia, under heavy penalties. If those laws, intended to prevent and punish intemperance, were executed, there would not be so much need of the present application to the Legislature. But as long as those laws are not executed and enforced, further enactments seem hardly advisable. The committee are well aware, that the increase of penalties is of no avail where milder ones are not enforced. Laws cannot cure or prevent the sin of drunkenness. The practice of using spirituous liquors is too general, to sanction the idea that a law can be made to abolish, or effectually restrain it.

It must depend principally on society, in general, to limit and repress a practice so common, that no examples of its evil consequences on the daily victims, operate as a warning to others.

Those who reprobate the dreadful consequences of intemperance, must unite in abstaining from the use, as well as the abuse of spirituous liquors themselves, and in their families. Such an example, aided by a proper execution of the existing laws, cannot fail to produce a good and lasting effect, and will be more efficient in repressing the evil complained of, than any measures of coercion that can be devised.

It may be of use to impose a tax on those who deal in the sale of ardent spirits, as prayed by some petitions before the committee.

If such a measure does not prevent the evil, the tax levied, may be appropriated to a good purpose, and to the instruction of youth, in the path that will teach them to avoid evil. For this purpose, the committee ask leave, to report a bill herewith.

By order of the committee.

JAMES PARKER.

Which bill, entitled An act to regulate the sale of wines and ardent spirits,

Was read, ordered a second reading, and with the report, ordered to be printed.

The resolution offered by Mr. Parker, to rescind the resolution, for the House to rise on the 6th instant,

Was called up, and read.

On the question of agreeing to the same, the yeas and nays being required, were as follows :

YEAS.

Messrs. Carson,
Chandler,
Coles,
Dodd,
Earl,
Green,
Halsted,

Messrs. Hopping,
Lloyd,
Mott,
Parker,
Snowhill,
Vroom,
West—14.

NAYS.

Messrs. Armstrong,
Bee,
Capner,
Christie,
Clifford,
Day,
Emly,
Ewing, (Speaker),
Farlee,
Foster,
Freas,
Kirkpatrick,
Marsh,

Messrs. Mickle,
Mills,
Porter,
Robbins,
Seeley,
Sinnickson,
Stryker,
Terhune,
Thompson,
Townsend,
Toy,
Van Riper,
Woodhull—26.

So the resolution was disagreed to.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have disagreed to the bill, from the House of Assembly, entitled An act to provide for the improvement of the internal navigation of the State ;

And that the Council have passed the bill, from the House of Assembly, entitled An act for the relief of the State Bank, at Trenton ;

The bill from the House, to provide for the removal of obstructions to the free course of the waters in Parsippany Brook, the Scow Ditch, and Company Ditch, in the township of Hanover ;

And the bill, entitled A supplement to the act entitled An act more effectually to provide for the removal of all obstructions to the free course of the waters in the river Passaic, and its branches, between Cook's bridge, and the reef of the Little Falls, next below the turnpike bridge, commonly called Singack bridge ;

And that the Council have passed the resolutions, from the House of Assembly, for the distribution of certain printed documents, touching the controversy between New Jersey and New York ;

And the bill from the House of Assembly, entitled An act to incorporate the Shrewsbury Steam Boat and Bath Buildings Company,

Respectively, without amendment :

And that the Council have passed a bill, entitled A further supplement to the act entitled An act to incorporate the Orange and Sussex Canal Company, passed the 10th day of December, 1823.

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading ;

And the message informed, that the Council have passed the report of the committee, on the South Carolina and Georgia resolutions, and the resolution relative thereto,

With an amendment.

To which amendment they request the concurrence of the House of Assembly,

Which amendment was read, and ordered to lie on the table.

The bill, entitled An act to confirm certain acknowledgments of deeds and other instruments, taken by Aaron Decker, esq.

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled An act relative to the fisheries in the Hudson river and New York bay, within the limits and jurisdiction of the State of New Jersey,

Was read a second time, gone through with by section, and the title so amended, as to read, An act relative to the fisheries in the waters of the Hudson river, within the jurisdiction of the State of New Jersey.

The bill was then ordered to be engrossed.

The bill, entitled An act concerning the question of boundary and jurisdiction, existing between the states of New Jersey and New York,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled An act to augment the fund for the support of free schools,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled An act for the publication of chancery reports,

Was read a second time, and postponed to the next session of the Legislature.

The House resumed the consideration of the bill, entitled A supplement to an act entitled An act concerning roads.

Which, on motion, was postponed to the session of the next Legislature.

The bill from Council, entitled A supplement to an act entitled An act to incorporate the New Brunswick Steam Boat Ferry Company, passed 10th December, 1823,

Was read a second time, and postponed to the session of the next Legislature.

The bill from Council, entitled An act to incorporate the Morris County Iron Manufacturing Company,

Was read a second time, and postponed.

The House adjourned to nine o'clock to-morrow morning.

WEDNESDAY, March 5, 1828.

Nine o'clock the House met.

Mr. Day presented a petition from inhabitants of Essex, Bergen, and Morris counties, praying a law for the formation of a new county, out of parts of the aforesaid counties, to be called the county of Paterson.

Which petition was read, and committed to Messrs. Day, Marsh, and Terhune.

Mr. Capner presented petitions from inhabitants of Hunterdon county, against a law authorizing an election for determining the seat of justice of said county.

Which were ordered to lie on the table.

Mr. Dodd, from the committee to whom was referred the bills supplementary to the act constituting courts for the trial of small causes,

Reported the same, without amendment.

In the opinion of the committee, a general revision of the various supplements, and the original act, is required whenever the subject is considered. This would occupy more time and consideration than can be devoted to the subject, at this session of the Legislature. They, therefore, recommend the postponement of the bill to the next session of the Legislature.

Which report was read, and agreed to.

Mr. Seeley, from the committee to whom was referred the petition of sundry inhabitants of the county of Cumberland, praying for a law to authorize the owners of a tract of marsh, situate between the main forks of Antuxet creek, in the township of Fairfield, and county aforesaid, to erect a dam and water works, across the creeks, or guts, included within the said forks, and below where those forks are already damed across,

Reported, That the applicants have leave to present a bill for that purpose, on the second Tuesday of the next session of the Legislature, by advertising their intention so to do, for four weeks previously, in one of the newspapers printed at Bridgeton, in the county of Cumberland.

Which report was read, and agreed to.

Mr. Halsted, from the committee to whom was referred the memorial of the convention of delegates, assembled at Trenton, on the 22d day of August last, praying a law authorizing an election for delegates, to meet in convention, for the purpose of preparing a revision of the Constitution of this State, to be submitted to the people,

Reported, That, in the opinion of the committee, it is inexpedient to grant the prayer of the said memorial.

Which report was read, and ordered to lie on the table.

Mr. Marsh, with leave, presented a bill, entitled An act to raise a public revenue from oyster fisheries belonging to the people of this State.

Which bill was read, and ordered to lie on the table, and to be printed.

The report of the committee on the resolutions from Maine and Connecticut, respecting the funds that may be appropriated, by the General Government, to the purposes of internal improvement,

Was called up, and agreed to;

The Speaker ordered to sign the same, and the Clerk ordered to carry the same to Council, and request their concurrence therein.

The resolution offered by Mr. Day, for procuring grates to burn coal in the Assembly room,

Was called up, and made to read as follows :

Resolved, By the Council and General Assembly of this State. That Charles Parker be authorized to procure suitable grates for the burning of coal, and to have them put up in the several fire-places in the State House.

Which resolution was then agreed to : the Speaker ordered to sign the same, and the Clerk ordered to carry the same to Council, and request their concurrence therein.

The engrossed bill, entitled An act to raise the sum of thirty thousand dollars, for the year of our Lord one thousand, eight hundred and twenty-eight,

Was called up and re-committed.

The engrossed bill, entitled An act for the relief of Garret Doremus, and Rachel Doremus,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Capner,	Messrs. Hopping,
Carson,	Kirkpatrick,
Chandler,	Mickle,
Christie,	Mills,
Clifford,	Mott,
Day,	Porter,
Earl,	Sinnickson,
Emly,	Snowhill,
Ewing, (Speaker,)	Terhune,
Farlee,	Townsend,
Foster,	Toy,

Van Riper—23.

NAYS.

Messrs. Armstrong,
Freas,
Green,
Halsted,
Lloyd,

Messrs. Munson,
Parker,
Seeley,
Stryker,
Vroom,

Woodhull—11.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to confirm certain acknowledgments of deeds and other instruments, taken by Aaron Decker, esquire,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Capner,
Carson,
Chandler,
Christie,
Clifford,
Coles,
Day,
Earl,
Emly,
Ewing, (Speaker,)
Farlee,
Foster,
Freas,
Green,
Halsted,
Hopping,

Messrs. Kirkpatrick,
Lloyd,
Mickle,
Mills,
Mott,
Munson,
Parker,
Porter,
Robbins,
Sinnickson,
Snowhill,
Stryker,
Terhune,
Townsend,
Toy,
Van Riper,
Vroom—34.

NAY.

Mr. Woodhull—1.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act concerning the questions of boundary and jurisdiction, existing between the State of New Jersey and New York,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act relative to fisheries in the waters of the Hudson river, within the limits and jurisdiction of the State of New Jersey,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to augment the fund for the support of free schools,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,	Messrs. Marsh,
Bee,	Mickle,
Capner,	Mills,
Carson,	Mott,
Chandler,	Munson,
Christie,	Parker,
Coles,	Robbins,
Day,	Seeley,
Dodd,	Sinnickson,
Earl,	Snowhill,
Emly,	Stryker,
Ewing, (Speaker,)	Terhune,
Farlee,	Townsend,
Freas,	Toy,
Green,	Van Riper,
Halsted,	Vroom
Hopping,	Wall,
Kirkpatrick,	West,
Lloyd,	Woodhull—38.

NAYS.

Mr. Clifford,

Mr. Foster—2.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled A further supplement to the act entitled An act to ascertain the power and authority of the Ordinary and his Surrogates, to regulate the jurisdiction of the Prerogative Court, and to establish an Orphans' Court, in the several counties of this State,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Bee,	Messrs. Freas,
Carson,	Green,
Chandler,	Halsted,
Christie,	Hopping,
Coles,	Kirkpatrick,
Day,	Marsh,
Earl,	Mills,
Farlee,	Munson,

Messrs. Parker,
Porter,
Sinnickson,
Snowhill,
Stryker,
Terhune,

Messrs. Townsend,
Toy,
Van Riper,
Vroom,
Wall,
West,

Woodhull—29.

NAYS.

Messrs. Armstrong;
Clifford,
Emly,
Ewing, (Speaker,)
Foster,

Messrs. Lloyd,
Mickle,
Mott,
Robbins,
Sceley—10.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

Mr. Christie, from the committee to whom was re-committed the bill, entitled An act to raise the sum of thirty thousand dollars, for the year of our Lord, 1828,

Reported the same, with amendments.

Which amendments were read, agreed to, and the bill, as amended, ordered to be re-engrossed.

The re-engrossed bill, entitled An act to raise the sum of thirty thousand dollars, for the year of our Lord, 1828,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The engrossed bill, entitled An act to loan the credit of the State of New Jersey to the Morris Canal and Banking Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Carson,
Christie,
Day,
Dodd,

Messrs. Kirkpatrick,
Marsh,
Mills,
Munson.

Parker—9.

NAYS.

Messrs. Armstrong;
Bee,
Capner,
Chandler,

Messrs. Clifford,
Coles,
Earl,
Emly.

Messrs. Ewing, (Speaker,)

Farlee,
Foster,
Freas,
Green,
Halsted,
Hopping,
Lloyd,
Mickle,
Mott,
Seeley,

Messrs. Sinnickson;

Snowhill,
Stryker,
Terhune,
Towsend,
Toy,
Van Riper,
Vroom,
Wall,
West,
Woodhull—30.

The engrossed bill, entitled An act directing the mode of determining the seat of justice in the county of Hunterdon,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Carson,

Chandler,
Christie,
Coles,
Day,
Dodd,
Earl,
Ewing, (Speaker,)
Foster,
Freas,

Messrs. Green,

Halsted,
Hopping,
Mott,
Parker,
Porter,
Stryker,
Terhune,
Van Riper,
Wall,

Woodhull—21.

NAYS.

Messrs. Armstrong;

Bee,
Capner,
Clifford,
Emly,
Farlee,
Kirkpatrick,
Lloyd,
Marsh,

Messrs. Mickle,

Mills,
Munson,
Robbins,
Seeley,
Sinnickson,
Townsend,
Toy,
Vroom,

West—19.

The bill from Council, entitled a further supplement to the act entitled An act to incorporate the Sussex and Orange Canal Company,

Was read a third time.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered. That the Speaker sign the same:

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The engrossed bill, entitled An act to incorporate the New Jersey Rail Road Company,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was decided in the negative, as follows :

YEAS.

Messrs. Carson,
Chandler,
Christie,
Day.

Messrs. Mills,
Snowhill,
Terhune,
Van Riper,

Woodhull—9.

NAYS.

Messrs. Armstrong,
Bee,
Capner,
Clifford,
Coles,
Earl,
Emly,
Ewing. (Speaker.)
Farlee,
Foster,
Freas,
Green,
Halsted,
Hopping,
Kirkpatrick,

Messrs. Lloyd,
Marsh,
Mickle,
Mott,
Munson,
Parker,
Porter,
Robbins,
Secley,
Sinnickson,
Stryker,
Townsend,
Toy,
Vroom,
Wall,

West—31.

The bill from Council, entitled An act to incorporate the Morris County Iron Manufacturing Company,

Was read a second time, gone through with by section, and ordered a third reading

The bill, entitled A further supplement to the act entitled An act for the punishment of crimes, passed the 18th day of March, A. D. 1796,

Was read a second time, progressed in by section, and postponed.

The bill, entitled A further supplement to the act entitled An act concerning roads,

Was considered by section, and ordered to be engrossed.

The House adjourned to three o'clock in the afternoon.

Three o'clock the House met.

Mr. Mills, from the committee to whom was referred the petition of sundry inhabitants of the county of Morris, in behalf of George P. Woolley,

Reported, That they deem it inexpedient to legislate on the same, at this time.

Which report was read, agreed to ; and

On motion, the applicants were permitted to withdraw their papers.

Mr. Carson, from the committee to whom was referred the report of the Quarter Master General, beg leave to

Report as follows, That they have taken the same into consideration, as well as petitions referred to them on the subject of arms ; that as respects that part of the Quarter Master General's report, which referred to the kind of arms to be received from the ordinance department of the United States,

Your committee believe, that the only description of arms necessary to be received, at this time, are muskets and rifles ; the rifles to be received, should not exceed one-tenth part of the whole quota. As to field artillery, it will be proper for the Quarter Master General, to make known to the ordinance department, that the State of New Jersey will receive six pieces of brass four pounders, as soon as the same can be furnished. As to the applications for arms, the committee consider the present law sufficient for that purpose, nor should the same be repealed, until each brigade shall have received a sufficient number to arm the uniform companies. Your committee further

Report, That it is necessary to build an arsenal for the safe keeping of the arms, and report a bill for that purpose.

Which report was read, and ordered to lie on the table ;

And the bill, entitled An act to build a public arsenal,

Was read, and ordered a second reading.

Mr. Woodhull, from the committee to whom was submitted the examination of the first and second reports of the Prison Discipline Society,

Reported, That they have examined said reports as carefully as their time would permit, and that they highly approbate them. They would, therefore, present the following resolution :

Resolved, That fifty dollars, the cost of said reports, be provided for in the incidental bill.

Which report was read, and agreed to.

Mr. Toy, from the committee appointed to enquire whether any.

and if any, what, alterations are necessary in the law relative to bridges,

Reported, That the only part of the law relative to bridges, which, in their opinion, require alterations, is found in the 20th section of the act concerning roads, passed the 9th of February, 1818, and therefore report an additional supplement to that law.

Which bill, entitled An additional supplement to the act, entitled An act concerning roads, passed the 9th of February, 1818,

Was read.

Which bill, on motion, was postponed to the next session of the Legislature.

Mr. Chandler, from the committee on that subject,

Reported a bill, entitled An act to defray incidental charges.

Which bill was read, a first and second time, considered by section, and ordered to be engrossed.

The bill, entitled An act to incorporate the Gloucester Works Company;

The bill, entitled An act to abolish imprisonment for debt, in certain cases ;

The bill, entitled An act to incorporate the Delaware and Salem Canal Company ;

The bill entitled, An act to incorporate the Woodstown Fire Engine Company, of Salem county ;

The bill, entitled A supplement to the act entitled An act to enable the owners of the tide swamps and marshes, to improve the same, and the owners of the meadows, already banked in, and held by different persons, to keep the same in good repair ; passed the twenty-ninth day of November, in the year of our Lord, one thousand, seven hundred and eighty-eight ;

The bill, entitled An act to encourage the breed of horses ;

The bill, entitled An act to incorporate the Bordentown Rail Road Company ;

The bill, entitled An act to prevent trespasses on the salt meadows, in the township of Newark.

The bill, entitled An act to provide for the construction of a draw in the bridge over South river, on the Bordentown and South Amboy turnpike road ; and

The bill, entitled An act supplementary to the act entitled An act relative to the Supreme and Circuit Courts ;

Were severally called up, and postponed to the next session of the Legislature.

The bill, entitled An act to incorporate the Washington Turnpike Company, in the county of Middlesex ; and

The bill, to authorize the Bordentown and South Amboy Turnpike Company, to erect a rail road,

Were severally called up, and dismissed.

The bill, entitled An act relative to the probate of wills,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill, entitled An act to compel the attendance of witnesses:

before Judges, Commissioners of bails and affidavits, and Commissioners under foreign commissions,

Was read a second time, considered by section, and ordered to be engrossed.

The bill, entitled A further supplement to the act concerning Sheriffs,

Was read a second time, considered by section, and ordered to be engrossed.

The House resumed the consideration of the bill, entitled A further supplement to the act entitled An act for the punishment of crimes, passed the 18th day of March, one thousand, seven hundred and ninety-six,

Was gone through by section, and ordered to be engrossed.

The bill from Council, entitled An act to divorce Richard Bruen from his wife, Rebecca,

Was read a second time, with the accompanying documents, considered by section, and ordered a third reading.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled An act to confirm certain acknowledgments, taken by Aaron Decker, esquire ;

The bill, entitled An act to augment the fund for the support of free schools ;

The bill, entitled An act to raise the sum of thirty thousand dollars, for the year of our Lord, one thousand, eight hundred and twenty-eight ; and

The bill, entitled An act for the relief of Garret Doremus, and Rachel Doremus,

Respectively, without amendment.

And that the Council have receded from the amendments made to the report of the committee of the House of Assembly, on the South Carolina and Georgia resolutions, and the resolution relative thereto ;

And have passed said report and resolution,

Without amendment.

The bill from Council, entitled A supplement to an act entitled An act concerning inns and taverns,

Was read a third time, as amended.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Bee,
Carson,
Chandler.
Clifford,
Day,
Dodd.

Messrs. Emly,
Ewing, (Speaker,)
Farlee,
Foster,
Freas,
Green,
Halsted.

Messrsr Hopping,
Lloyd,
Marsh,
Mickle,
Mills,
Mott,
Munson.
Porter,
Robbins,

Messrs. Sinnickson,
Stryker,
Thompson,
Townsend,
Toy,
Vroom,
Wall,
West,
Woodhull—32.

NAYS.

Messrs. Christie.
Coles,
Earl,
Kirkpatrick,

Messrs. Parker,
Seeley,
Snowhill,
Terhune,

Van Riper—9.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council, that the House have passed said bill,

With amendments.

To which amendments they request the concurrence of the Council.

The engrossed bill, entitled a further supplement to the act entitled An act concerning roads.

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS.

Messrs. Armstrong,
Bee,
Capner,
Carson,
Chandler,
Christie,
Clifford,
Coles,
Day,
Dodd,
Earl,
Emly,
Ewing, (Speaker,)
Farlee,
Foster,
Freas,
Halsted,
Hopping,
Kirkpatrick,

Messrs. Lloyd,
Marsh,
Mickle,
Mills,
Mott,
Munson,
Porter,
Robbins,
Seeley,
Sinnickson,
Snowhill,
Stryker,
Terhune,
Thompson,
Townsend,
Van Riper,
Vroom,
Wall,
West.

Woodhull—39.

NAYS.

Mr. Green.

Mr. Toy—2.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council, that the House have passed said bill, and request their concurrence therein.

The bill, entitled An act appointing a trustee to sell and convey the undivided interest of Thomas Gibbons Trumbull, in certain real estate,

Was read a second time, progressed in by section, and while under consideration,

The House adjourned to nine o'clock to-morrow morning.



THURSDAY, March 6, 1825.

Nine o'clock the House met.

Mr. Parker, from the committee to whom was referred the memorial of Thomas Gordon, praying an inspection of the map of New Jersey, compiled by him, and also the aid and encouragement of the State, so as to insure him a reasonable compensation for his labor and expenses,

Reported, That the map made by Mr. Gordon, appears to the committee, to be accurately compiled, and, in the opinion of the committee will provide, (what has been long wanted) a correct map of this State.

That such a map is of great importance to New Jersey, and in other states, the construction of maps, exhibiting the local situation of the different sections of counties, towns, rivers, roads, &c. has been generally a state concern, and accomplished at great expense ;

The committee recommend the following resolution, authorizing a subscription, on the part of the State, which is herewith subjoined:

Resolved, That the Governor of this State, or a person administering the government, be, and he is hereby authorized to subscribe for one hundred and twenty five copies of the map of New Jersey, constructed by Thomas Gordon, to be distributed and disposed of as the Legislature may hereafter direct.

Which report and resolution were read, and agreed to; the Speaker ordered to sign the same, and the Clerk ordered to carry the said resolution to Council and request their concurrence therein.

Mr. Parker, from the committee to whom was referred the memorial of sundry inhabitants of this state, praying for an act to prohibit the Alliance Fire Insurance Company, from making insurance, within this State,

Reported, That, as said Company are liable to pay the tax imposed on other foreign companies, the committee are of opinion, that it is not expedient to legislate on the subject

Which report was read, and agreed to.

Mr. Vroom, from the committee to whom was referred the petition of the heirs and devisees of Joseph Doty, late of Somerset county, deceased,

Reported, That the prayer of the petitioners is reasonable, and that they have leave to present a bill, on the second Wednesday of next session.

Which report was read, and agreed to.

Mr. Day, from the committee to whom was referred the petition of sundry persons of the county of Essex, Morris and Bergen, praying that a new county may be created out of parts of said counties, to be called and known by the name of the county of Paterson, beg leave to

Report, That the petitioners have leave to bring in a bill, for that purpose, on the second Tuesday of the next session of the Legislature; they first advertising, so to do, four weeks, in one of the newspapers in Morristown, and one in Paterson, immediately preceeding the term, when said bill is to be presented.

Which report was read, and agreed to.

Mr. Chandler, with leave, presented a bill, entitled An act for the more equal representation of the county of Sussex, in the General Assembly of this State.

Which bill was read, and postponed to the session of the next Legislature.

Mr. Vroom, from the committee to whom was referred the resolution of the Senate and House of Representatives of the state of Georgia, recommending such an alteration of the constitution of the United States, as will prevent the election of President of the United States, from devolving, in any event, on the House of Representatives, and which, at the same time, will preserve inviolate all the rights of the states, growing out of the compromises of the constitution; and, also, the resolutions of the General Assembly of the state of Ohio, on the same subject, beg leave to

Report, That, while they look upon the written constitution of the United States as the fruit of deep wisdom, devoted patriotism, and splendid talent, and admire it as the bond that unites together the different members of our mighty family, they are sensibly impressed with that foresight and prudence which moved our fathers to provide for the amendment of those defects that would naturally be pointed out by the developements and experience of after years.

It was not expected, that this interesting effort of human genius could be perfect. Nor can it be rendered so, by the improvement of ages. In the course of forty years, the people of these United States, jealous of any right, and sensitive to every danger, have, in several instances, exercised the power reserved to themselves, by the great federal compact, and amended the national charter.

Other amendments have been offered, in the mode pointed out by the constitution; but being founded in local feeling, or sectional prejudice, they have not been able to pass the barriers, so nicely

thrown around the constitution, to exclude any alteration not firmly national and republican.

The resolution of the state of Georgia, recommends such a modification of the provisions of the constitution, as will prevent the election of President from devolving, in any event, on the House of Representatives, and which will, at the same time, preserve inviolate all the rights of the states, growing out of the compromises of the constitution.

Such an amendment, your committee conceive, would be national in its character, and salutary in its operations. It would tend to preserve our republican institutions, by fortifying and securing the great principle on which they rest—that all power is derived from the people.

Statesmen, have long since discovered, that the clause in the constitution, that gives to Congress the power, in certain cases, to elect a President, discloses one of the weakest features of that venerated instrument. It places this important trust too far from the body of the people. It vests it in a body of men, who were not selected in reference to such a duty, and who, in the performance of it, are continually exposed to the most dangerous temptations. It distracts the national councils, and converts the hall of legislation into a political arena. It gives full scope to the blandishments of place, and the seductions of power; and it would be idle in us, to cherish the idea, that even in this country, public men will always remain incorruptible.

It has happened, that, in the course of a few years, the election of President has twice, by the provisions of the constitution, devolved upon the House of Representatives; and when it is considered, that the amendment, consequent of the election of 1801, renders the happening of such a contingency less remote, than under the original provision, it may be assumed, that the event will recur once in every sixteen or twenty years—perhaps more frequently.

It is manifest, this mode never was contemplated by the framers of the constitution.

They did not, nor could they foresee, that an alteration would so soon be made. Which, however apparently congenial to our republican institutions, has a necessary tendency to take from the people the choice of their own chief magistrate. A result, which it was intended to avoid, and against which, a free people ought carefully to guard.

This limited experience, has shewn us, that elections by the House of Representatives, are attended with danger. They always succeed strong national excitation; and the passions and prejudices, the jealousies and fears of the whole country, of persons in place and out of place, are transferred to the House, and unite there in one common focus.

They furnish aliment for party feud and fan the flame of internal dissension; and when they shall become more frequent, as it is believed they will, these evils will increase. To guard against

this, is the privilege and the duty of the representatives of a free people; and it can only be done effectually, by divesting the House of Representatives of the power of electing the President, in case of the failure of an election by the electors, and placing it in other hands.

The committee, therefore, recommend the adoption of the following resolutions :

Resolved, By the Council and General Assembly of the State of New Jersey, That our Senators and Representatives in Congress, be informed of the concurrence of this Legislature, in the resolution of the State of Georgia, and be requested to promote the object of the said resolution.

Resolved, That the Governor be requested to forward copies of the foregoing preamble and resolutions, to each of our Senators and Representatives in Congress, and to the governors of the several states.

Which report and resolutions were read, and ordered to lie on the table.

The engrossed bill, entitled An act to divorce Samuel Williams, and his wife, Mary Williams,

Was called up, and postponed to the session of the next Legislature.

The bill, entitled A supplement to the act entitled An act regulating the money of account, in this State,

Was called up, and dismissed.

The engrossed bill, entitled An additional supplement to an act entitled An act to incorporate the New Jersey Turnpike Company.

Was likewise called up, and dismissed.

The House took up the bill, entitled An act to raise a public revenue from the oyster fisheries, belonging to the people of this State,

Was read ;

Whereupon, a motion was made to dismiss the same, and the ayes and nays being required, were as follows :

YEAS.

Messrs. Carson,
Christie,
Clifford,
Coles,
Day,
Earl,
Emly,
Ewing, (Speaker,)
Farlee,
Freas,
Hopping,

Messrs. Lloyd,
Mott,
Parker,
Porter,
Snowhill,
Terhune,
Van Riper,
Vroom,
Wall,
West,
Woodhull--22.

NAYS.

Messrs. Armstrong,
Capner,
Chandler,
Dodd,
Foster,
Green,
Halsted,

Messrs. Marsh,
Mickle,
Mills,
Munson,
Robbins,
Stryker,
Thompson,

Townsend—15.

So the said bill was dismissed.

The bill from Council, entitled An act to incorporate the Morris County Iron Manufacturing Company,
Was read a third time.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS.

Messrs. Chandler,
Christie,
Day,
Dodd,
Green,
Halsted,
Lloyd,

Messrs. Mickle,
Munson,
Stryker,
Terhune,
Van Riper,
Vroom,
Wall,

West—15.

NAYS.

Messrs. Armstrong,
Capner,
Carson,
Clifford,
Coles,
Emly,
Ewing, (Speaker,)
Farlee,
Foster,
Freas,
Hopping,
Kirkpatrick,

Messrs. Marsh,
Mills,
Mott,
Parker,
Porter,
Robbins,
Sinnickson,
Snowhill,
Thompson,
Townsend,
Toy,
Woodhull—24.

Ordered, That the Clerk inform Council, that the House have disagreed to said bill.

The bill, entitled An act to dissolve the marriage contract between Isaac Rea, and Delilah, his wife,

Was read a second time, considered by section, and ordered to be engrossed.

The engrossed bill, entitled An act to dissolve the marriage contract between Isaac Rea, and Delilah, his wife,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Bee,
Capner,
Carson,
Christie,
Clifford,
Coles,
Day,
Earl,
Emly,
Farlee,
Foster,
Freas,

Messrs. Hopping,
Lloyd,
Marsh,
Mickle,
Mills,
Mott,
Munson,
Porter,
Snowhill,
Terhune,
Thompson,
Van Riper,
West—26.

NAYS.

Messrs. Chandler,
Ewing, (Speaker,)
Green,
Parker,

Messrs. Stryker,
Townsend,
Toy,
Vroom,

Wall—9.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to defray incidental charges,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to compel the attendance of witnesses before judges, commissioners of bails and affidavits, and commissioners under foreign commissions,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative unanimously.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An additional supplement to the act entitled An act for the punishment of crimes, passed the 18th day of March, 1796,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The bill, entitled A further supplement to the act concerning Sheriffs,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Capner,
Carson,
Chandler,
Christie,
Clifford,
Coles,
Dodd,
Earl,
Emly,
Ewing, (Speaker),
Farlee,
Foster,
Freas,
Green,
Kirkpatrick,

Messrs. Lloyd,
Mickle,
Mott,
Munson,
Parker,
Porter,
Sinnickson,
Snowhill,
Stryker,
Terhune,
Thompson,
Townsend,
Toy,
Van Riper,
Wall,

West—31.

NAYS.

Messrs. Armstrong,
Day,
Halsted,

Messrsr Hopping,
Robbins,
Vroom,

Woodhull—7.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to authorize the trustees of Mrs. Hannah Kennedy, to sell her real estate,
Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Bee,
Capner,
Carson,
Chandler,
Christie,
Clifford,
Coles,
Day,
Dodd,
Earl,
Emly,
Ewing, (Speaker),
Farlee,
Foster,
Green,
Halsted,

Messrs. Hopping,
Kirkpatrick,
Lloyd,
Marsh,
Mickle,
Mills,
Mott,
Porter,
Robbins,
Stryker,
Terhune,
Thompson,
Toy,
Van Riper,
Wall,
West,
Woodhull—31.

NAYS.

Mr. Freas,

Mr. Townsend—2.

Ordered, That the Speaker sign the same.*Ordered*, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The bill from Council, entitled An act to divorce Richard Bruen from his wife, Rebecca,

Was read a third time.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,
Bee,
Capner,
Christie,
Coles,
Earl,
Emly,
Farlee,
Foster,
Freas,
Hopping,

Messrs. Kirkpatrick,
Mickle,
Mills,
Mott,
Munson,
Snowhill,
Terhune,
Townsend,
Thompson,
Toy,
Van Riper,

West—23.

NAYS.

Messrs. Ewing, (Speaker,)
Green,
Halsted,
Marsh,
Parker,

Messrs. Porter,
Robbins,
Stryker,
Vroom,
Wall,

Woodhull—11.

Ordered, That the Speaker sign the same.*Ordered*, That the Clerk inform Council, that the House have passed said-bill,

Without amendment.

The bill, entitled An act to divorce Sarah Kent, from Amariah Kent,

Was read a second time, considered by section, and ordered to be engrossed.

The Speaker presented to the House, a copy of Colden's Memoirs, on the subject of the New York Canal, and the grand celebration, to be deposited in the State Library ;

Whereupon, Mr. Marsh submitted the following resolution :

Resolved. That the thanks of this House be presented to the honorable William B. Ewing, for Colden's Memoirs, presented by him to the State, and that the same be placed in the State Library

Which resolution was read, and agreed to ; and

The House adjourned to three o'clock in the afternoon.

Three o'clock the House met.

Mr. Snowhill presented a petition from the inhabitants of Hunterdon, Somerset, Middlesex, and Burlington, praying for a new county, to set off from parts of said counties.

Which was ordered to lie on the table.

Mr. Christie presented petitions from inhabitants of Bergen and Morris counties, praying that a new county be set off from said counties, to be called the county of Pompton.

Which petitions were read, and committed to Messrs Christie, Dodd, and Marsh.

The Speaker laid before the House, the proceedings of a meeting of the citizens of Trenton, held this morning, expressive of their decided disapprobation, of the disorderly and riotous proceedings of an unlawful assemblage, that took place on last evening, for the purpose of insulting the feelings, and reprobating the official conduct, of a member of the Council of this State.

Which proceedings were read, and ordered to lie on the table.

Mr. Green, from the committee to whom was referred the petitions of the inhabitants of the counties of Somerset, Hunterdon, Middlesex, and Burlington, praying that a new county may be created, composed of parts of the above named counties, to be called the county of Washington,

Reported, That the committee have had the subject under consideration, and, inasmuch as the interests of the inhabitants of the counties before named, are deeply involved, the committee beg leave to submit the following resolution :

Resolved, That the said petitioners have leave to bring in a bill, for such purpose, on the second Wednesday of next session of the Legislature, having advertised their intention so to do, for one month previous thereto, in one of the newspapers printed at New Brunswick, Trenton, and Flemington.

Which report was read, and agreed to.

Mr. Christie, from the committee to whom was referred the petitions of sundry inhabitants of the counties of Bergen and Morris, praying to be set off into a new county, to be called the county of Pompton, beg leave to

Report, That the petitioners have leave to bring in a bill, agreeably to the prayer of their petitions, on the second Tuesday of the next session of the Legislature, the said applicants giving at least four weeks public notice previous to their application, in the Paterson Intelligencer, and Morristown Palladium of Liberty.

Which report was read, and agreed to.

Mr. Parker, with leave, presented a bill, entitled An act to limit the number of Judges of the inferior Court of Common Pleas.

Which bill was read, and postponed to the session of the next Legislature

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have agreed to the amendments made by the House of Assembly, to the bill from the Council, entitled A supplement to the act entitled An act concerning inns and taverns ;

And have caused said bill to be re-engrossed ;

And that the Council have disagreed to the resolution from the House of Assembly, authorizing Charles Parker, to procure suitable grates for the burning of coal, and have them put up in the several fire-places, in the State House.

The Council have passed a resolution, authorizing the Governor of this State, to receive propositions from, and to treat with, the executive of Pennsylvania, relative to the waters of the Delaware, &c.

To which resolution they request the concurrence of the House of Assembly ;

And the message informed, that Council had passed the report and resolution from the House, on the resolutions from Maine and Connecticut, respecting the funds that may be appropriated by the General Government, to the purposes of internal improvement ;

The bill, from the House of Assembly, entitled An act concerning the questions of boundary and jurisdiction, existing between the states of New Jersey and New York ;

And the bill, entitled A further supplement to the act entitled An act to ascertain the power and authority of the Ordinary and his Surrogates, to regulate the jurisdiction of the Prerogative Court, and to establish an Orphans' Court, in the several counties of this State,

Respectively, without amendment.

The resolutions from Council, authorizing the Governor of this State, to receive propositions from, and to treat with, the executive of Pennsylvania, relative to the waters of the Delaware, &c,

Was read, and disagreed to.

Ordered, That the Clerk inform Council, that the House have disagreed to said resolution.

The engrossed bill, entitled An act relative to the probate of wills,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill, entitled An act to divorce Sarah Kent, from her husband, Amariah Kent,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was decided in the negative, as follows:

YEAS.

Messrs. Capner,
Carson.

Messrs. Christie,
Clifford.

Messrs. Coles,
Dodd,
Earl,
Farlee,
Freas,

Messrs. Kirkpatrick,
Mickle,
Mills,
Snowhill,
Terhune,

Van Riper—15.

NAYS.

Messrs. Armstrong,
Bee,
Day,
Emly,
Ewing, (Speaker,)
Foster,
Green,
Halsted,
Hopping,
Lloyd,
Marsh,

Messrs. Mott,
Munson,
Porter,
Robbins,
Stryker,
Townsend,
Toy,
Vroom,
Wall,
West,
Woodhull—22.

The House took up the report of the committee on the resolutions from Georgia, recommending an alteration of the constitution, to prevent the election of President and Vice President devolving on the House of Representatives, and the resolutions accompanying the same,

Which report and resolutions were read.

On the agreeing to the same, the yeas and nays being required, were as follows :

YEAS.

Messrs. Clifford,
Earl,
Farlee,
Freas,
Green,
Mickle,

Messrs. Munson,
Parker,
Robbins,
Terhune,
Vroom,
Wall,

West—13.

NAYS.

Messrs. Armstrong,
Bee,
Capner,
Carson,
Christie,
Coles,
Day,
Dodd,
Emly,
Ewing, (Speaker,)
Foster,
Halsted,
Hopping,

Messrs. Kirkpatrick,
Lloyd,
Marsh,
Mills,
Mott,
Porter,
Snowhill,
Stryker,
Thompson,
Townsend,
Toy,
Van Riper,
Woodhull—26.

So the report was disagreed to.

Whereupon, Mr. Dodd, submitted the following resolutions, as a substitute for said report and resolutions :

Resolved, By the Council and General Assembly of the State of New Jersey, That this Legislature do *not* concur in opinion with the legislature of Georgia, in relation to an alteration of the Constitution of the United States, so as to prevent the election of President and Vice President, from devolving, in any event, on the House of Representatives.

Resolved, That the Governor be requested to transmit copies of these resolutions to the executives of the several states, and to each of our Senators and Representatives, in Congress.

Which resolutions were read, and on the question of agreeing to the same, the yeas and nays being required, were as follows :

YEAS.

Messrs. Bee,
Carson.
Christie.
Coles,
Day,
Dodd,
Emly,
Ewing, (Speaker,)
Foster,
Halsted,
Hopping,

Messrs. Kirkpatrick.
Marsh,
Mills,
Mott,
Porter,
Snowhill,
Stryker,
Thompson,
Townsend,
Toy,
Van Riper.

Woodhull—23.

NAYS.

Messrs. Clifford,
Earl,
Farlee,
Freas,
Green,
Lloyd,
Mickle,

Messrs. Munson,
Parker,
Robbins,
Terhune,
Vroom,
Wall,
West—14.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said resolutions to Council, inform them that they have been passed by this House, and request their concurrence therein.

The message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council had passed the bill, from the House of Assembly, entitled An act to authorize the trustees of Mrs. Hannah Kinney, to sell real estate ;

And the bill from the House, entitled An act to dissolve the marriage contract between Delilah Rea, and Isaac Rea,

Respectively, without amendment ;

That the Council have passed the resolution from the House of Assembly, relative to subscribing for the map, constructed by Thomas Gordon,

With an amendment.

To which amendment they request the concurrence of the House of Assembly.

Which amendment was read, disagreed to, and the Clerk ordered to inform Council accordingly ;

And the message informed, that Council have passed the bill from the House of Assembly, entitled An act to defray incidental charges,

With amendments.

To which amendments they request the concurrence of the House of Assembly.

Which amendments were read, the first disagreed to, the others disagreed to, and the Clerk ordered to inform Council accordingly.

Mr. Day submitted the following resolution :

Resolved, That the Treasurer of this State, be authorized to cause to be constructed, suitable grates for the burning of coal, in the several fire places of the Assembly room.

Which resolution was read, and agreed to.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council do adhere to their amendment, to the resolution from the House of Assembly, relative to the map, constructed by Thomas Gordon ;

Whereupon, on motion, that the House agree to the amendment of Council, the yeas and nays being required, were as follows :

YEAS.

Mr. Christie,

Mr. Woodhull—2.

NAYS.

Messrs. Armstrong,

Messrs. Lloyd,

Bee,

Marsh,

Capner,

Mickle,

Chandler,

Mills,

Clifford,

Mott,

Coles,

Munson,

Day,

Parker,

Dodd,

Porter,

Earl,

Robbins,

Emly,

Snowhill,

Ewing, (Speaker,)

Stryker,

Farlee,

Terhune,

Foster,

Thompson,

Freas,

Townsend,

Green,

Toy,

Malsted,

Van Riper,

Hopping,

Vroom,

Kirkpatrick,

Wall,

West—37.

Ordered, That the Clerk inform Council, that the House do insist on their disagreement, to the amendment made by Council, to

the resolution of the House, relative to the subscriptions, by the State, to the map constructed by Thomas Gordon : and,

That they have appointed Messrs. Vroom, Dodd, and Earl, a committee of conference on the part of the House, and request Council to appoint a correspondent committee.

The House adjourned to seven o'clock to-morrow morning.



FRIDAY, March 7, 1828.

Seven o'clock the House met.

Mr. Wall, from the committee to whom was referred the bill, entitled An act providing for the division of estates, in certain cases,

Reported, That the object of the present bill, is to change an important principle of common law, and the statute law, by authorizing a division to be made of estates, in reversion and remainder, before the extinction of the estate for life.

The committee consider, that the change would be unwise and dangerous, and therefore report the bill, without amendment, and recommend that it be dismissed.

Which report was read, agreed to, and the bill accordingly dismissed.

Mr. Earl, with leave, presented a bill, entitled An act to amend the judicial system of this State.

Which bill was read, and postponed to the session of the next Legislature.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled An act relative to the probate of wills ;

The bill, entitled A further supplement to the act entitled An act concerning roads ;

The bill, entitled A further supplement to the act concerning Sheriffs ;

And the bill, entitled An act to compel the attendance of witnesses before Judges, Commissioners of bails and affidavits, and Commissioners under foreign commissions,

Respectively, without amendment ;

And that the Council have passed the bill, from the House of Assembly, entitled An additional supplement to the act entitled An act for the punishment of crimes, passed the 18th day of March, 1796 ;

And the resolution from the House of Assembly, non-concurring in the resolutions of the state of Georgia, relative to an alteration in the Constitution of the United States.

Without amendment ;

And that the Council do insist on their amendments to the bill, from the House of Assembly, entitled An act to defray incidental charges, disagreed to by the House ;

Whereupon, the House, on motion, receded from their disagreement to said amendment ; agreed to the amendment of Council, and the same ordered to be re-engrossed ;

And the message informed, that the Council have appointed Messrs. Howell and Clawson, a committee on their part, on the disagreement of the two Houses, on the resolutions relative to the map of Thomas Gordon.

Mr. Marsh submitted the following resolution :

Resolved, That the Speaker be empowered to convene the General Assembly, at any time during the present session, whenever any extraordinary occasion shall, in his opinion, render the same necessary ; the time of meeting, to be published in the newspapers printed in the city of Trenton, in one of the newspapers printed in Morristown, Newark, and Bridgeton, at least two weeks previous to such time, which shall be deemed sufficient notice to the members of the House, for their attendance.

Which resolution was read, and agreed to.

The re-engrossed bill, entitled An act to defray incidental charges, Was read, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS.

Messrs. Armstrong,	Messrs. Hopping,
Capner,	Lloyd,
Chandler,	Mills,
Christie,	Parker,
Clifford,	Porter,
Coles,	Robbins,
Day,	Snowhill,
Dodd,	Stryker,
Emly,	Terhune,
Farlee,	Thompson,
Foster,	Toy,
Green,	Van Riper,
Halsted,	Vroom,

West—27.

NAYS.

Messrs. Earl,	Messrs. Mott,
Ewing, (Speaker,)	Wall,
Mickle,	Woodhull—6.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that the amendments made thereto by the Council, have been agreed to by this House, and that they have caused said bill to be re-engrossed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have agreed to the amendment, made by the committees of conference, to the resolution relative to the map of New Jersey, constructed by Thomas Gordon, and have passed the same, and request the concurrence of the House of Assembly to said resolution, as thus amended.

Which amended resolution was read, agreed to, and the Clerk ordered to inform Council accordingly.

Mr. Earl submitted the following resolution:

Resolved, That the thanks of this House be tendered to the honorable William B. Ewing, for the very able, dignified, and impartial manner, in which he has discharged the duties of Speaker, during the present session.

Which resolution was read, and agreed to *nem. con.*

Whereupon, the Speaker rose, and addressed the House, as follows:

GENTLEMEN—Diffident of my qualifications to do justice to the appointment, with which you was pleased to honor me, at the commencement of the session, it is highly gratifying now, when our labours are about to cease, to receive this testimony, of your approbation of my official conduct. I do receive it under a deep sense of your kindness, and liberal indulgence towards me; your confidence, respect, and attention, which has not for one moment been withheld, demands my warmest gratitude. Be pleased to accept, individually and collectively, my best wishes for your health and happiness. May you return in safety to your families and friends; and may our services, whilst here, be acceptable to our constituents, and be found promotive of their interest, and of the welfare of the State at large.

The House then adjourned *sine die*.

VOTES
AND
PROCEEDINGS
OF THE
FIFTY-THIRD
GENERAL ASSEMBLY

OF THE
State of New Jersey,

AT A SESSION BEGUN AT TRENTON, ON THE TWENTY-EIGHTH DAY OF OCTOBER, ONE THOUS-
AND EIGHT HUNDRED AND TWENTY-EIGHT.

BEING THE FIRST SITTING.



WOODBURY, N. J.

PRINTED BY P. J. GRAY.

.....

1829.



LIST OF MEMBERS
OF THE
LEGISLATIVE COUNCIL.

Bergen,—	<i>The Honorable</i> NATHANIEL BOARD.
Essex,	AMOS HARRISON.
Morris,	EDWARD CONDUCT.
Sussex,	DAVID RYERSON.
Warren,	JEREMY MACKEY.
Hunterdon,	GEORGE MAXWELL.
Somerset,	ANDREW HOWELL.
Middlesex,	JAMES T. DUNN.
Monmouth,	WILLIAM J. EMLEY.
Burlington,	CALEB NEWBOLD, V. P.
Gloucester,	JEREMIAH J. FOSTER.
Salem,	ISRAEL R. CLAWSON.
Cumberland,	JOHN TRENCHARD.
Cape May,	ISRAEL TOWNSEND.

LIST OF MEMBERS
OF THE
GENERAL ASSEMBLY.

BERGEN,

Christian Zabriskie, Peter C. Westervelt, and Andrew P. Hopper.

ESSEX,

Dennis Coles, William Stites, Abraham Godwin, and William Pennington.

MORRIS,

William Monro, Joseph Jackson, Charles Hillard, and John Hancock.

SUSSEX,

Peter Merkel, and James Evans.

WARREN,

Jonathan Robbins, and Daniel Vleit.

HUNTERDON,

Enoch Clifford, Isaac G. Farlee, Alexander Wurts, and Stacy G. Potts.

SOMERSET,

James S. Nevius, William C. Annin, and John H. Voorhees.

MIDDLESEX,

Charles Carson, Andrew Snowhill, and Nicholas Booraem.

MONMOUTH,

James West, James Lloyd, Daniel H. Ellis, and Leonard Walling.

BURLINGTON,

John Emley, Samuel Black, Philip F. Howell, and Richard Eayre.

GLOUCESTER,

Joseph Porter, John Estell, and Charles C. Stratton.

SALEM,

Edward Smith, Jeremiah Foster, and William J. Shinn.

CUMBERLAND,

William B. Ewing, Elias P. Seeley, and Nathaniel Foster.

CAPE MAY.

Joshua Townsend.

VOTES AND PROCEEDINGS

OF THE

FIFTY-THIRD

GENERAL ASSEMBLY.

TRENTON, OCTOBER 28, 1828.

THIS being the time and place appointed for the first meeting of the General Assembly, the following persons, to wit : Christian Zabriskie, Peter C. Westervelt, and Andrew P. Hopper, as representatives for the county of Bergen ; Dennis Coles, William Stites, Abraham Godwin, jun. and William Pennington, as representatives for the county of Essex ; William Monro, Joseph Jackson, Charles Hillard, and John Hancock, as representatives for the county of Morris ; Peter Merkel, and James Evans, as representatives for the county of Sussex ; Jonathan Robbins, and Daniel Vleit, as representatives for the county of Warren ; Enoch Clifford, Isaac G. Farlee, Alexander Wurts, and Stacy G. Potts, as representatives for the county of Hunterdon ; James S. Nevius, William C. Annin, and John H. Voorhees, as representatives for the county of Somerset ; Charles Carson, Andrew Snowhill, and Nicholas Booraem, as representatives for the county of Middlesex ; James West, James Lloyd, and Daniel H. Ellis, as representatives for the county of Monmouth ; John Emley, Samuel Black, Philip F. Howell, and Richard Fayre, as representatives for the county of Burlington ; Joseph Porter, and John Estell, as representatives for the county of Gloucester ; Edward Smith, Jeremiah Foster, and William J. Shinn, as representatives for the county of Salem ; William B. Ewing, Elias P. Secley, and Nathaniel Foster, as representatives for the county of Cumberland ; and Joshua Townsend, as a representative for the county of Cape May ; appeared in the House, and produced the respective certificates of their election : which being read

and approved, William Monro, esq. was appointed, agreeably to the constitution, to qualify Charles Carson, esq. who, being duly sworn, took his seat, and the remaining members present being qualified by the said Charles Carson, esq. took their seats in the House.

The members proceeded to the choice of a Speaker, when William B. Ewing, esq. was unanimously chosen, and accordingly took the chair.

The House then proceeded to the choice of a Clerk, when William L. Prall, and David Johnson, were nominated for that office, and on the roll being called, the votes were as follows :

For William L. Prall.

Messrs. Annin,	Messrs. Howell,
Black,	Nevius,
Booraem,	Pennington,
Carson,	Porter,
Coles,	Seeley,
Eayre,	Shinn,
Emley,	Smith,
Estell,	Snowhill,
Ewing, (Speaker.)	Stites,
J. Foster,	Townsend,
N. Foster,	Voorhees,
Godwin,	Zabriskie—24.

For David Johnson.

Messrs. Clifford,	Messrs. Lloyd,
Ellis,	Merkel,
Evans,	Monro,
Farlee,	Potts,
Hancock,	Robbins,
Hillard,	Vleit,
Hopper,	West,
Jackson,	Westervelt,

Wurts—17.

Whereupon, it appearing, that William L. Prall, having a majority of the votes of all the members present, he was declared to be duly appointed Clerk of the House, was qualified, and took his seat at the table.

The House then proceeded to the appointment of a Door-keeper, when William Gould, Samuel C. Scattergood, and Martin Howe, were nominated for that office, and on the House being called, the votes were as follows :

For William Gould.

Messrs. Annin,	Messrs. Clifford,
Black,	Coles,
Booraem,	Ellis,
Carson,	Emley,

Messrs. Estell,
Ewing, (Speaker.)
J. Foster,
N. Foster,
Godwin,
Hillard,
Hopper,
Howell,
Jackson,
Merkel,
Monro,
Nevius,

Messrs. Pennington,
Porter,
Seeley,
Shinn,
Smith,
Snowhill,
Stites,
Townsend,
Voorhees,
West,
Westervelt,
Zabriskie—32.

For Samuel C. Scattergood.

Messrs. Eayre,
Evans,
Farlee,

Messrs. Hancock.
Potts,
Vleit—6.

For Martin Howe.

Messrs. Lloyd,

Messrs. Robbins,
Wurts—3.

Whereupon, it appearing that William Gould, having a majority of the votes of the members present, he was declared to be duly appointed Door-keeper.

Ordered, That the Clerk inform Council, that the House have this day met, and elected the Honorable William B. Ewing, esq. their Speaker, and William L. Prall, their Clerk, and have proceeded to business.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have this day met, formed a quorum, chosen Caleb Newbold, esq. Vice-President, and Daniel Coleman, Secretary, and have proceeded to business.

Ordered, That Messrs. Carson, Farlee, and Coles, be a committee to prepare rules and regulations for the government of the House.

Ordered, That Messrs. Seeley, Clifford, and Lloyd, be a committee to bring forward the unfinished business of the last session.

The House adjourned to ten o'clock to-morrow morning.



WEDNESDAY, October 29, 1828.

Ten o'clock the House met.

Charles C. Stratton, a representative for the county of Gloucester, appeared, produced the certificate of his election, was qualified, and took his seat in the House.

Mr. Carson, from the committee appointed to prepare rules for the government of the House,

Reported certain rules and orders, which were read and adopted, and one hundred copies ordered to be printed.

Mr. N. Foster presented the petition of Lydia Kirby, of the county of Cumberland, praying to be divorced from her husband, Jonathan Kirby.

Which petition was read, and committed to Messrs. N. Foster, Annin, and Lloyd.

Mr. Howell presented the petition of John B. Sartori, praying an act to incorporate a company for the printing of calico.

Which petition was read, and committed to Messrs. Howell, Godwin, and Zabriskie.

Mr. Pennington, of Essex, and Mr. Townsend, of Cape May, severally presented the abstracts of rateables of their respective counties.

Which were ordered to lie on the table.

Ordered, That Messrs. Stites, Porter, Wurts, Smith, and Jackson, be a committee to settle the accounts of the Treasurer.

Ordered, That Messrs. Carson, Godwin, Potts, Emley, and Robbins, be a committee to settle the accounts of the State Prison.

Ordered, That Messrs. Monro, Nevius, and Westervelt, be a committee to prepare a Support bill.

Ordered, That Messrs. Pennington, N. Foster, and Ellis, be a committee to prepare and report an Incidental bill.

Ordered, That Messrs. West, Booraem, and Clifford, be a committee to bring in a Tax bill.

Ordered, That Messrs. Black, Hillard, and Seeley, be a committee to receive proposals for the current printing of the session, and for the printing of the Laws, Law Reports, and Votes and Proceedings of the present Legislature.

Ordered, That the Clerk inform Council of the appointment of the two first named committees, and request Council on their part, to appoint correspondent committees.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that Council have appointed Messrs. Howell and Trenchard, a committee on their part, to settle the accounts of the Treasurer, and Messrs. Board and Townsend, to settle the accounts of the State Prison.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Seeley, from the committee appointed to bring forward the unfinished business of the last session,

Reported the following items of unfinished business of the last session, remaining on the files of the House :

No. 1. A bill entitled, An act appointing a Trustee to sell and convey the undivided interest of Thomas Gibbons Trumble, in certain real estate.

No. 2. A bill entitled, An act granting assistance to the New Jersey Colonization Society.

No. 3. A bill entitled, An act for the publication of Chancery Reports.

No. 4. A bill entitled, An act to incorporate the New Jersey Interest and Savings Bank.

No. 5. A bill entitled, An act to incorporate the Gloucester Works Company.

No. 6. A bill entitled, An act to incorporate the Salem and Delaware Canal Company.

No. 7. A bill entitled, An act to abolish imprisonment for debt, in certain cases.

No. 8. A bill entitled, An act to incorporate the Woodstown Fire Engine Company of Salem county.

No. 9. A bill entitled, A supplement to the act entitled, An act to enable the owners of the tide swamps and marshes, to improve the same, and the owners of the meadows already banked in, and held by different persons, to keep the same in good repair, passed the twenty-ninth day of November, in the year of our Lord, one thousand seven hundred and eighty-eight.

No. 10. A bill entitled, An act to encourage the breed of horses.

No. 11. A bill entitled, An act to incorporate the Bordentown Rail Road Company.

No. 12. A bill entitled, An act to prevent trespasses on the Salt Meadows, in the township of Newark.

No. 13. A bill entitled, An act supplementary to the act entitled, An act relative to the Supreme and Circuit Courts.

No. 14. A bill entitled, An act to provide for the construction of a draw in the bridge over South river, in the Bordentown and South Amboy turnpike road.

No. 15. A bill entitled, A supplement to an act entitled, "An act to incorporate the New Brunswick Steam Boat Ferry Company," passed tenth December, one thousand eight hundred and twenty-three.

No. 16. A bill entitled, An act to incorporate the Warren, Morris, and Essex Rail Road Company.

No. 17. A bill entitled, A supplement to an act entitled, "An act to enable William S. Pennington, of the county of Essex, to carry into effect, a trust therein named ; passed the twenty-seventh day of November, one thousand eight hundred and twenty-three.

No. 18. A bill entitled, An act to authorise Thomas Applegate to transport a slave.

No. 19. A bill entitled, An act to regulate the sale of wine, and ardent spirits.

No. 20. A bill entitled, An act to constitute the first battalion of the fifth regiment of Essex brigade into a regiment, to be called and known by the name of "The Fifth Regiment, of the Essex Brigade."

No. 21. A bill entitled, An act to authorise a bridge over the canal, between South river and Raritan river.

No. 22. A bill entitled, An act to amend the first section of an act entitled, A supplement to the act entitled an act respecting conveyances; passed the seventh day of June, one thousand seven hundred and ninety-nine; and to an act entitled, An act to register mortgages; passed the seventh day of June; which said supplement was passed the fifth day of June, one thousand eight hundred and twenty.

No. 23. A bill entitled, A supplement to An act to secure to creditors an equal and just division of the estates of debtors, who convey to assignees for the benefit of creditors.

No. 24. A bill entitled, An act to exempt students of academies from militia duty.

No. 25. A bill entitled, An act to build a public arsenal.

No. 26. A bill entitled, An act to repeal certain acts therein named.

No. 27. A bill entitled, An additional supplement to the act entitled, An act concerning roads, passed the ninth February, one thousand eight hundred and eighteen.

No. 28. A resolution for the appointment of a committee, to enquire into the expediency of the State of New Jersey, in concert with the state of Pennsylvania, erecting a dam across the Delaware, at the head of the Falls, near the city of Trenton, for improving the navigation thereof, and of creating a water power for manufacturing purposes, as may be consistent with the interest of the State, and the prosperity and welfare of the adjacent country.

No. 29. A report of a committee on the petition of certain inhabitants of the townships of Centreville and Pittsgrove, in the county of Salem, praying for the repeal of an act establishing a township called Centreville.

No. 30. A report of a committee on the memorial of a number of inhabitants of the counties of Monmouth and Burlington, praying for a law authorising a new county to be set off, to be called the Atlantic.

Which report was read, and ordered to lie on the table, and to be printed.

The bill No. 1. of unfinished business, entitled An act appointing a trustee to sell and convey the undivided interest of Thomas Gibbons Trumble, in certain real estate,

Was called up, and committed to Messrs. Godwin, Nevius, and Booraem.

The House adjourned to ten o'clock to-morrow morning.

THURSDAY, October 30, 1828.

Ten o'clock the House met.

Mr. Robbins, of Warren, Mr. Evans, of Sussex, and Mr. Hopper, of Bergen, severally presented the abstracts of rateables of their respective counties.

Which were ordered to lie on the table.

Mr. N. Foster, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to divorce Lydia Kirby from her husband, Jonathan Kirby.

Which bill was read, and ordered a second reading.

Mr. Howell, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled An act to incorporate the Trenton Printing Calico Manufactory.

Which bill was read, and ordered a second reading.

Mr. Godwin, from the committee to whom was referred No. 1. of unfinished business,

Reported a bill, entitled An act authorising the sale of an undivided moiety of certain lands and water privileges, commonly known by the name of "Elizabethtown Point Ferries."

Which bill was read, and ordered a second reading.

Mr. Pennington submitted the following resolution :

Resolved, That the Clerk inform Council, that the House of Assembly is ready to go into a Joint Meeting, for the purpose of appointing a Governor, Surrogates for the counties of Essex, Gloucester, Salem, and Cape May ; and a Clerk for the county of Morris, and request the Council to appoint the time and place of said meeting.

Which resolution was read, and agreed to.

No. 7. of unfinished business, a bill entitled, An act to abolish imprisonment for debt, in certain cases,

Was called up, and committed to Messrs. Jackson, Shinn, and Estell.

No. 9. entitled a supplement to the act entitled, An act to enable the owners of the tide swamps and marshes, to improve the same, and the owners of the meadows already banked in, and held by different persons, to keep the same in good repair, passed the ninth day of November, one thousand seven hundred and eighty-eight,

Was called up, and committed to Messrs. Smith, N. Foster, and Ellis.

No. 17. A bill entitled, A supplement to an act entitled, An act to enable William S. Pennington, of the county of Essex, to carry into effect a trust therein named, passed on the twenty-seventh day of November, eighteen hundred and twenty-three.

Was called up, and committed to Messrs. Stites, Nevius, and Hillard.

No. 19. A bill entitled, An act to regulate the sale of wine, and ardent spirits,

Was called up, and committed to Messrs. Carson, Stites, and Townsend.

No. 27. A bill entitled, A further supplement to the act entitled, An act concerning roads, passed the ninth of February, one thousand eight hundred and eighteen,

Was called up, and committed to Messrs. Black, Snowhill, and Vleit.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council will be ready to go into a Joint Meeting, for the purpose of appointing a Governor, Surrogates for the counties of Essex, Gloucester, Salem, and Cape May, and a Clerk for the county of Morris, to-morrow, at three o'clock, in the Assembly room.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

The bill entitled, An act authorising the sale of an undivided moiety of certain lands and water privileges, commonly known by the name of the "Elizabethtown Point Ferries,"

Was read a second time, gone through with by section, and ordered to be engrossed.

The House then went into a nomination of candidates, for the several offices to be filled at the ensuing Joint Meeting, a duplicate of which was sent to Council, and

The House adjourned to ten o'clock to-morrow morning.



FRIDAY, October 31, 1828.

Ten o'clock the House met.

Leonard Walling, a representative for the county of Monmouth, appeared, produced the certificate of his election, was qualified, and took his seat in the House.

The engrossed bill, entitled An act authorising the sale of an undivided moiety of certain lands and water privileges, commonly known by the name of the "Elizabethtown Point Ferries,"

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

Mr. Porter submitted the following resolution :

Resolved, That this House will have an adjourned session.

Which resolution was read, and ordered to lie on the table.

The House adjourned to three o'clock in the afternoon.



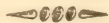
Three o'clock the House met.

The resolution submitted this morning, by Mr. Porter, for the House to have an adjourned session,

Was called up, and agreed to.

The Council then came into the Assembly room ; the two Houses went into a Joint Meeting, and after going through their appointments, the Joint Meeting rose ; the Speaker resumed the chair ; the House came to order, and

Adjourned to ten o'clock on Monday morning.



MONDAY, November 3, 1828.

Ten o'clock the House met.

Mr. Pennington presented a memorial from the Board of Chosen Freeholders, of Essex county, praying that persons confined in jail for debts of small amount, and unable to procure support for themselves while there, be discharged from confinement, on making oath of their inability.

Which memorial was read, and committed to Messrs. Pennington, Potts, and Shinn.

Mr. Black presented the abstract of rateables of the county of Burlington, for the year eighteen hundred and twenty-eight.

Which was ordered to lie on the table.

Mr. Stites, from the committee to whom was referred No. 17. of unfinished business, A bill entitled, a supplement to an act entitled, An act to enable William S. Pennington, of the county of Essex, to carry into effect a trust therein named, passed on the twenty-seventh day of November, eighteen hundred and twenty-three,

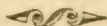
Reported the same, without amendment.

Which bill was read, and ordered a second reading.

No. 28. of unfinished business, A bill entitled, An act to amend the Judicial System of this State,

Was called up, and committed to Messrs. Nevius, Hillard, and Stratton.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Pennington presented the following Report of the surviving Trustee of the late New Jersey Protection and Lombard Bank :

*To the Honorable the Legislative Council and
General Assembly of the State of New Jersey,*

The undersigned, surviving Trustee of the late New Jersey Protection and Lombard Bank, in obedience to the requirements of the acts of the Legislature on that subject, respectfully

Report, That the acts repealing the charter of the New Jersey Protection and Lombard Bank, and appointing Trustees, to take charge of the property and effects of the same, makes it the duty of the Trustees, to pay into the Court of Chancery of this State, all monies collected by them, to be disposed of under the order of the Chancellor, equitably, amongst the creditors of the company, first deducting all just and reasonable costs, charges and expenses, attending the recovery or settlement of the same, and prosecution of suits, and all other just and reasonable costs and charges attending the execution of the trust, with such compensation to the Trustees as the Chancellor should deem right and proper. That the Trustees, on the twenty-fifth day of April last, presented, under oath, to the Chancellor, a full and detailed statement of all their accounts and state of their funds, up to that time, with the expenses of the trusts, so far as they could be then ascertained and adjusted ; which statement is on file, in the office of the Clerk in Chancery, and as the same is voluminous, it is deemed unnecessary to be re-stated in this report. By that statement, the balance of monies then on hand, (without deducting the compensation for the Trustees,) was \$48,187 56. Of this sum, \$30,850 was at that time vested in stocks of the United States, bearing an interest, at six per cent. and still remains so vested, waiting the distribution of the money. Since presenting the accounts to the Chancellor, on the twenty-fifth of April last, the funds of the company have been increased \$1,740 09, making the whole amount of funds, now on hand, \$49,927 65.

The present indebtedness of the Bank, as appears by the books of the Company, and of the correctness of which, no doubt is entertained is as follows :

Bills in circulation,	\$84,025 22
Deposits,	1,047 03
Mechanics' bills,	756 84

Making the whole amount, \$85,829 09

The Bank, at the time of repealing their charter, owed debts to an amount of almost double its present indebtedness. But the Trustees, in the course of the many settlements that have taken place, have received by way of payment and offset, debts of the Bank in their bills, and in deposits, which have thus been liquidated, the sum of \$83,708 75.

On presenting the account of the transactions of the Trustees, as before stated, to the Chancellor ; he issued a commission to their surviving Trustees, to ascertain the creditors of the Bank, and the amount due to them respectively. That commission has been executed, and returned to the Chancellor.

A suit has been instituted, in the Superior Court of the city of New York, against the undersigned, and the late Peter Kean, esq. by the New Jersey Protection and Lombard Bank, in a plea of trover and conversion, for the sum of five hundred thousand dollars. The object of that suit was to try the constitutionality of the repealing acts, and treated the Trustees as having acted without any competent authority. That suit is now in a train of settlement, and it is expected, will be shortly compromised. It may be proper to state here, that information of the institution of that suit against the surviving Trustees, was communicated to the Chancellor, who has deferred making any order for distributing the monies among the creditors of the Bank, until the same should be adjusted ; or, he should determine upon the expediency of making such distribution, while such suit was progressing.

The claims that remain unpaid, are mostly of a desperate character, though it is hoped, something will yet be realized from many of them.

It is my painful duty to mention to the Legislature, the loss of another of my associates in this trust, Peter Kean, Esq. who died on the second of October, instant, much lamented, and justly honored. The death of both my associates, has, by the provisions of the acts of the Legislature, unexpectedly devolved upon me, as their survivor, the responsible duty of closing the trust. And the only consolation attending this misfortune is, that its labors and duties are mostly closed. So far as any success has attended the execution of our duties, it has been owing, principally, to their labors and perseverance.

All which is respectfully submitted.

WM. PENNINGTON, *Surviving Trustee, &c*

Newark, New Jersey, }
October 25th, 1828. }

Which report was read, ordered to lie on the table, and in the mean time, to be printed.

Mr. Black, from the committee appointed to receive proposals for printing the Laws, Law Reports, and Minutes, and Current Printing of the House of Assembly,

Reported, in part, That they have examined the several proposals submitted to them, and respectfully recommend, that Thomas S. Wiggins be appointed to print the Bills and Current Printing of the House of Assembly, at two dollars, sixty-five cents per sheet.

Which report was read, and agreed to.

Mr. Seeley, from the committee to whom was referred the petition on that subject,

Reported A bill entitled, An act respecting the real estate of Jacob Armstrong, deceased.

Which bill was read, and ordered a second reading.

Mr. Pennington, from the committee to whom was referred the petition on that subject,

Reported A bill entitled, An act for the relief of persons in actual confinement for debt.

Which bill was read, ordered a second reading, and to be printed.

Mr. Howell submitted the following resolution :

Resolved, By the Council and General Assembly of this State, that the Vice President of Council, and Speaker of the House of Assembly, be appointed to receive proposals for engrossing the bills, ordered to be engrossed by either branch of the Legislature, during the present session.

Which resolution was read, and agreed to, the Speaker ordered to sign the same, and the Clerk to carry said resolution to Council for their concurrence.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled, An act authorising the sale of certain lands and water privileges, commonly known by the name of the "Elizabethtown Point Ferries,"

Without amendment

The bill entitled, A supplement to an act entitled, An act to enable William S. Pennington, of the county of Essex, to carry into effect a trust therein named, passed on the twenty seventh day of November, one thousand eight hundred and twenty-three,

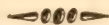
Was read a second time, considered by section, and ordered to be engrossed.

No. 22 of unfinished business, a bill entitled, An act to amend the first section of an act entitled, A supplement to the act entitled, An act respecting conveyances, passed the seventh day of June, one thousand seven hundred and ninety-nine: and to an act entitled, An act to register mortgages, passed the seventh day of June, one thousand seven hundred and ninety-nine; which said supple-

ment was passed the fifth day of June, one thousand eight hundred and twenty,

Was called up, and committed to Messrs. Seeley, Pennington, and Booraem.

The House adjourned to ten o'clock to-morrow morning.



TUESDAY, November 4, 1828.

Ten o'clock the House met.

Mr. N. Foster presented the petition of a number of the inhabitants of this State, commending the attention of the Legislature to the establishment of a system of Common Schools.

Which petition was read, and ordered to lie on the table.

Mr. Potts presented the petition of the counsel of James Guild, a black boy, convicted of murder, in Hunterdon county, and under sentence of death for said offence; and also the petition of sundry other persons of said county; together praying, for divers reasons given, that the punishment of death may not be inflicted on said boy, but that it may be commuted into banishment, imprisonment for life, or foreign slavery.

Which petitions were read, and committed to Messrs. Potts, Black, and Estell.

Mr. Godwin, in pursuance of leave given at the last session, presented a bill entitled, An act to erect parts of the counties of Essex, Bergen, and Morris, into a new county, to be called the county of Paterson.

Which bill was read, ordered a second reading, and to be printed.

The engrossed bill entitled, A supplement to an act entitled, An act to enable William S. Pennington, of the county of Essex, to carry into effect a trust therein named, passed on the twenty-seventh day of November, one thousand eight hundred and twenty-three,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

Mr. Godwin submitted the following resolution:

Resolved, That a committee be appointed to enquire whether any, and if any, what, amendments are necessary to the militia laws of this State.

Which resolution was read, and agreed to, and Messrs. Godwin, Carson, and Porter, accordingly appointed.

The bill entitled, An act to incorporate the Trenton Printing Calico Manufactory,

Was read a second time, progressed in, and postponed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the Resolve from the House of Assembly, relative to the receiving proposals for engrossing the bills of the two Houses, during the present session of the Legislature,

Without amendment.

No. 3. of unfinished business, a bill entitled, An act for the publication of Chancery Reports,

Was called up, and committed to Messrs. Wurts, Nevius, and Merkel.

No. 10. of unfinished business, a bill entitled, An act to incorporate the Warren, Morris, and Essex Rail Road Company,

Was called up, and dismissed.

No. 20. of unfinished business, a bill entitled, An act to constitute the first battalion of the fifth regiment of the Essex brigade, into a regiment, to be called and known by the name of "The fifth regiment of the Essex brigade;"

No. 24. An act to exempt students of academies from militia duty; and,

No. 25. A bill entitled, An act to build a public arsenal,

Were severally called up, and together, referred to Messrs. Carson, Godwin, and Porter, the committee on military affairs.

No. 23. A supplement to An act to secure creditors an equal and just division of the estates of debtors, who convey to assignees for the benefit of creditors,

Was called up, and committed to Messrs. Shinn, Jackson, and Carson.

No. 26. of unfinished business, entitled An act to repeal certain acts therein named,

Was called up, and committed to Messrs. Stites, Snowhill, and Westervelt.

No. 29. A bill entitled, An act to divorce Samuel Williams from his wife, Mary Williams,

Was called up, and committed to Messrs. Pennington, Farlee, and West.

No. 31. A bill entitled, An an act to limit the number of judges of the inferior court of common pleas,

Was called up, and committed to Messrs. Nevius, Hillard, and Stratton.

No. 34. A report of a committee on the memorial of a number of the inhabitants of the counties of Monmouth and Burlington, praying for a law, authorising a new county to be set off, to be called Atlantic,

Was called up, and committed to Messrs. Lloyd, Emley, and Clifford.

The House adjourned to three o'clock in the afternoon.

Which bill was read, and ordered a second reading.

Which petition was read, and committed to Messrs. Howell, Hancock, and Hopper.

Was called up, and re-committed.

Reported A bill entitled, An act concerning James Guild, a colored boy, convicted of the crime of murder.

Mr. Jackson submitted the following resolution :

Which resolution was read, and ordered to lie on the table.

Reported said accounts, and also the following certificate:

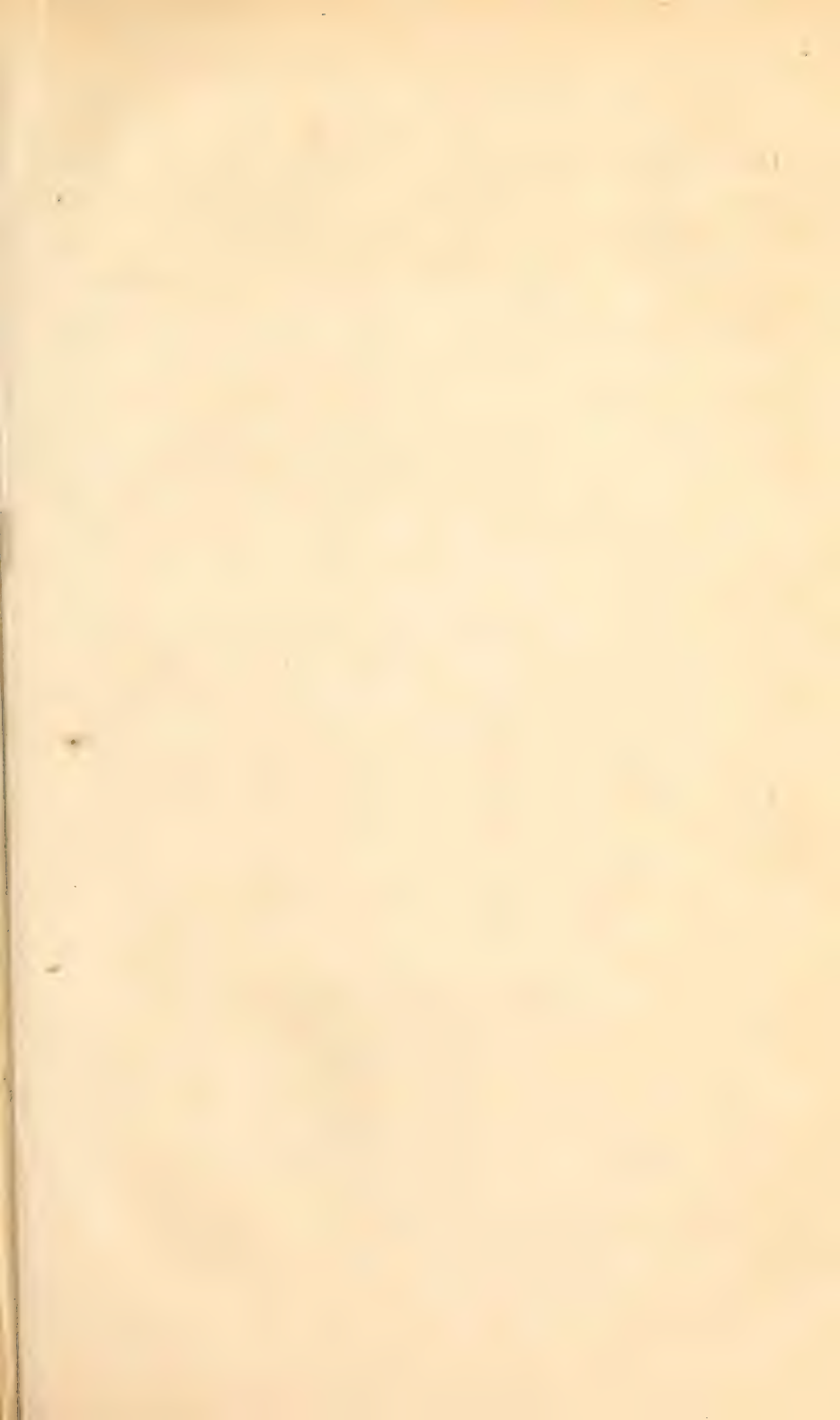
In the Trenton Banking Company,	\$ 13,708 74
State Bank at Newark,	28 75
State Bank at Elizabeth,	42 93
Salem Banking Company,	150 00
Peoples' Bank at Paterson,	95 00
State Bank at Morris,	8 32
Newark Banking and Insurance Company,	53 00
Advanced to D. Coleman, for which no voucher } was produced, to be accounted for hereafter, }	115 00

§ 14.201 74

In addition to the above, there is also standing to the credit of Charles Parker, Treasurer of the New Jersey School Fund, in the Trenton Banking Company, one hundred and thirty-three dollars, and two cents, being the balance of nett proceeds now in his hands, arising from that fund.

Trenton, October 28th, 1828.

A. HOWELL,
JOHN TRENCHARD,
Committee of Council.
WILLIAM STITES,
JOSEPH PORTER,
ALEXANDER WURTS,
JOSEPH JACKSON,
EDWARD SMITH,
Committee of Assembly.



DR.		CHARLES PARKER, <i>Treasurer, in Account current with</i>		
1827.			Dolls.	Cts.
Oct.	23.	To a balance in the hands of the Treasurer, this day, on settlement,	21,482	22
		Amount carried forward,	21,482	22

The State of New Jersey.

CONTRA

CR.

1827.

Dolls. Cts.

Oct.	25.	By paid, for one inquisition from Cape May,	8	40	
	26.	John J. Ely, Sheriff, for bringing a prisoner to State Prison, from Monmouth jail,	12	80	
		John J. Ely, for a taxed bill of costs for prosecution of do.	100	50	
	29.	For one inquisition from Hunterdon,	24	37	
	31.	Robert S. Buck, his salary as Brigade Inspector of Cumberland, 1827,	30		
		Sheriff of Hunterdon, for transporting four prisoners to State Prison,	13		
		Sheriff of Hunterdon, for four taxed bills of cost for prosecution of do.	121	54	
		For one inquisition from Hunterdon,	12	25	
					322 86
Nov.	1.	Sheriff of Bergen, for transporting four prisoners to State Prison,	40	73	
		Do. for four taxed bills of costs for prosecution of said prisoners,	83	99	
	5.	For six months' tuition of two deaf and dumb persons in New York,	150		
	6.	Six inquisitions, from Essex,	98	71	
		Fourteen do. from Bergen,	185	62	
		Charles Ewing, Esq. Chief Justice, six months' salary, and for holding seven Circuits,	810		
		Unice Platt, six months' pension,	20		
	7.	Governor Williamson, three months' salary,	500		
					1,889 05
		Allowance made to John Wilson and Charles Parker, in incidental bill,	270	28	
		Joshua Swain, a member of Council,	84		
		Samuel Pennington, do.	63		
		John Trenchard, do.	73	20	
		Nathaniel Board, do.	78		
		Henry D. Polhemus, do.	57		
		Caleb Newbold, do.	52	50	
		Andrew Howell, do.	58	80	
					736 78
		James T. Dunn, do.	57		
		Silas Cook, V. P. do.	80	50	

Dr.
1827.

CHARLES PARKER, *Treasurer*,

Amount brought forward,

Dolls. Cts.

21,482 22

Amount carried forward,

21 482 22

		CONTRA.	CR.
			Dolls. Cts.
1827.			
Nov. 7.	By paid, Jeremy Mackey, a member of Council,	57 60	
	George Maxwell, do.	55 20	
	Christopher Sickler, do.	60	
	Israel R. Clawson, do.	69	
	Israel Townsend, do.	87	
	Peter J. Terhune, do.	75 90	
		<hr/>	542 20
	O. S. Halsted, a member of the General Assembly,	61 20	
	Amzi Dodd, do.	63	
	Stephen D. Day, do.	66	
	Nathaniel Foster, do.	75	
	Elias P. Seeley, do.	72	
	William B. Ewing, do.	81 50	
	John T. Woodhull, do.	54 40	
	James Hopping, do.	63	
		<hr/>	536 10
	James West, do.	63	
	James Lloyd, do.	63	
	Isaiah Toy, do.	56 20	
	John Emley, do.	52 50	
	Gershom Mott, do.	48	
	Joshua S. Earl, do.	54	
	James D. Stryker, do.	55 50	
	Peter D. Vroom, do.	59 10	
		<hr/>	451 30
	James Parker, do.	59 40	
	Andrew Snowhill, do.	55 20	
	Charles Carson, do.	52 50	
	Walter Kirkpatrick, do.	67 80	
	Ephraim Marsh, do.	66	
	David Mills, do.	66	
	Stephen Thompson, do.	68	
	Jacob Armstrong, do.	66	
		<hr/>	500 90
	Hiram Munson, do.	69 62	
	Joseph Chandler, do.	81	
	Dennis Coles, do.	63	
	Garret D. Wall, do.	48	
	Isaac G. Farlee, do.	58 50	
	Enoch Clifford, do.	58 80	
	Thomas Capner, do.	55 20	
	John W. Mickle, do.	60	
	Joseph Porter, do.	58 50	
		<hr/>	552 62

Dr.
1827.

CHARLES PARKER, *Treasurer.*

	Dolls.	Cts.
Amount brought forward,	21,482	22
Amount carried forward,	21,482	22

		CONTRA.	CR.	
			Dolls.	Cts.
1827.				
Nov.	7.	By paid Henry Freas, member of the General Assembly,	70	50
		Thomas Bee, do.	61	80
		Jonathan Robbins, do.	60	
		Thomas Sinnickson, do.	70	50
		David J. Christie, do.	78	
		Cornelius D. Van Riper, do.	69	
		Daniel Coleman, Secretary of Council,	56	
		William L. Prall, Clerk of Assembly,	59	50
			<hr/>	
			525	30
		Charles Rice, for engrossing,	18	76
		John Belierjeau, Sergeant at Arms,	32	
		William Gould, Door-keeper of Assembly,	36	
		William L. Prall, for three items in incidental bill,	78	87
		Charles Parker, one do.	36	38
		James Lloyd, Esq. allowance to Sergeant at Arms, &c.	16	
		Charles Parker, for attendance at Library,	32	
8.		Daniel Coleman, Esq. for issuing commissions, &c.	93	59
			<hr/>	
			343	60
		William Mount, per allowance in incidental bill,	5	
		John Bellerjeau, per do.	2	25
9.		N. Bashford, per work in Library,	2	
10.		Daniel Fenton, per allowance in incidental bill,	44	98
		Joseph Justice, per do.	37	
		Zachariah Rossell, per do.	18	13
		John B. Lane, per do.	2	
		Martin C. How, per do.	9	20
			<hr/>	
			120	56
		A. Godwin, Brigade Inspector of Essex, for 1826,	30	
		Do. do. Brigade Inspector of Essex, 1827,	30	
13.		For four inquisitions from Morris county,	67	63
14.		Two do. from Essex,	27	11
17.		Gabriel H. Ford, Associate Justice, his semi-annual salary, and for holding four circuits,	670	

Dr.

CHARLES PARKER, *Treasurer.*

1827,

Amount brought forward,

Dolls. Cts.

21,482 22

Amount carried forward,

21,482 22

		CONTRA.		CR.	
				Dolls.	Cts.
1827.					
Nov.	20.	By paid, Lydia Wood, for six months' pension,	20		
	22.	Lydia Westbrook, six months' pension,	120		
	29.	Daniel Coleman, for issuing commissions, &c	5	71	
		G. D. Wall, Quarter Master General, six months' salary,	50		
			<hr/>	1,020	45
Dec.	6.	Daniel Fenton, for bill of books,	6	31	
	10.	Brigade Inspector of Middlesex, for 1827,	30		
	14.	Sheriff of Salem, for transporting three prisoners to State Prison,	54	52	
		Sheriff of Salem, for three bills of costs for criminal prosecutions,	100	92	
	19.	Sheriff of Warren, for bringing a prisoner to State Prison,	25	62	
		Do. do. a taxed bill of costs,	38	03	
	20.	Daniel Coleman, for issuing commissions, &c.	3	97	
		Twenty-three inquisitions from Gloucester,	308	43	
			<hr/>	567	80
	25.	William L. Prall, Esq. for copying and recording minutes of first sitting,	48	23	
	26.	Sheriff of Middlesex, for bringing to the State Prison, five prisoners,	16	85	
		Do. do. amount of five taxed bills of costs,	342	28	
	28.	Sheriff of Sussex, for bringing a prisoner to State Prison,	33	75	
		Do. do. for a taxed bill of costs,	20	90	
1828.					
Jan.	3.	Daniel Coleman, one quarters' salary,	12	50	
	7.	Advanced for school fund to purchase stock,	14,000		
	8.	For three inquisitions from Warren,	49	32	
			<hr/>	14,523	83
		F. S. Labaw, Keeper of State Prison, one quarters' salary,	200		
		John T. French, Clerk, one quarters' do.	125		
		Joseph Dye, Assistant Keeper, one quarters' do.	100		

Dr.

1827.

CHARLES PARKER, *Treasurer.*

Dolls. Cts.

Amount brought forward,

21,482 22

Amount carried forward,

21,482 22

		CONTRA.		CR.	
1828.				Dolls.	Cts.
Jan.	8.	By paid Thomas Neal, Assistant Keeper, one quarters' salary,	100		
		John Cunningham, do. do one quarters' do.	100		
		William Vanhart, do. do. one quarters' do.	100		
		Dr. John Howell, Physician, one quarters' do.	18	75	
		For thirteen inquisitions from Bergen,	181	85	
					925 60
	10.	Two do. from Somerset,	30	27	
	16.	Twelve do. from Salem, Brigade Inspector of Gloucester, his salary,	171	57	
			30		
	17.	Judge Advocate of Somerset, for expenses of a court martial,	94	78	
	18.	Brigade Inspector of Bergen, his salary, for 1827,	30		
	19.	Daniel Coleman, for issuing commissions, &c.	21	36	
	22.	John Bellerjeau, Sergeant at Arms, for twelve days' attendance at Court of Appeals,	24		
		John Bellerjeau, Sergeant at Arms, for six days' attendance at a Court of Chancery,	6		
	23.	For seventeen inquisitions from Burlington,	173	52	
					581 50
	25.	Sheriff of Essex, for bringing two prisoners to State Prison,	30		
		Do. do. for two taxed bills of costs,	89	93	
		For two inquisitions from Morris,	28	91	
	26.	Daniel Coleman, for issuing commissions, and filing warrants,	4	10	
	29.	Daniel Coleman, for issuing commissions, &c.	4	35	
		For two inquisitions from Bergen,	31	09	
Feb.	2.	Daniel Coleman, Esq. for services as Clerk, in Court of Appeals,	24	50	
	6.	Sheriff of Monmouth, for bringing a prisoner to State Prison,	12	80	
					225 98
		Do. do. for a taxed bill of costs,	48	56	

Dr. CHARLES PARKER, *Treasurer.*

		Dolls. Cts.	
1827.	Amount brought forward,	21,482	22
Dec. 20.	To received, from Collector of Gloucester, her quota of tax for the present year,	2,534	40
28.	Do. Burlington quota of tax for the present year,	3,230	36
31.	Do. Salem do.	1,617	47
1828.			
Jan. 1.	State Bank at Elizabeth, do.	499	88
2.	Newark Banking and Insurance Company, do.	1,500	
	State Bank at Newark, do.	1,200	
5.	Farmers' Bank of New Jersey, do.	500	
	Commercial Bank of New Jersey, do.	120	28
7.	Loan Office, for three months' interest, on stock, due first instant,	152	34
8.	Warren county tax, for 1827,	1,639	13
	Bergen, do. do.	1,949	80
10.	Cumberland Bank, do.	260	12
	Cape May county, do.	584	08
	Trenton Banking Company, do.	1,073	70
	Somerset county, do.	1,982	15
16.	Jersey Bank tax, and interest for 1826,	1,030	
17.	Cumberland county, for tax of 1827,	1,189	65
18.	State Bank at New Brunswick, for 1827,	440	
	Middlesex county, for tax of 1827,	2,400	04
19.	Morris county, for tax of 1827,	2,352	05
1827.			
Dec. 25.	Hunterdon county tax, for 1827,	3,401	90
		<hr/>	
		29,657	35
Amount carried forward,		<hr/>	
		51,139	57

CONTRA.

CR.

1828.

Dolls. Cts.

Feb.	6.	By paid, William N. Jeffers, Esq. member of the General Assembly, for attendance,	70	50	
	8.	Daniel Coleman, for issuing com- missions and filing warrants,	5	95	
	11.	For Story's edition of United States' Laws,	16	00	
	12.	For nine inquisitions from Essex, Aaron Hassert, per law for his re- lief,	136	25	
	20.	For ten inquisitions from Mon- mouth,	129	17	
	22.	Sheriff of Warren, for transporting a prisoner to State Prison,	24	75	
					531 18
		Do. do. a taxed bill of costs,	18	89	
		Governor, for three months' salary,	500		
	28.	For one inquisition from Essex,	21	27	
		Four do. do. Sussex,	59	32	
		Brigade Inspector of Sussex, for 1827,	30		
March	1.	Daniel Coleman, for issuing com- missions, &c.	9	78	
	4.	Looe Baker and others, interest on canal bonus,	1,376	93	
					2,016 19
	8.	Caleb Newbold, a member of Coun- cil,	178	50	
		Nathaniel Board, do.	207		
		Samuel Pennington, do.	192		
		Christopher Sickler, do.	186		
		Israel R. Clawson, do.	198		
		Henry D. Polhemus, do.	180		
		John Trenchard, do.	199	20	
		Andrew Howell, do.	188	10	
		Samuel Fowler, do.	198		
		James T. Dunn, do.	186		
					1,912 80
		Jeremy Mackey, do.	192	60	
		George Maxwell, do.	184	20	
		Joshua Swain, do.	213		
		Silas Cook, V. P. do.	231		
		John Emley, member of Assembly,	160	50	
		Gershom Mott, do.	156		
		Isaiah Toy, do.	164	40	
		Joshua S. Earl, do.	162		
					1,463 70

Dr.		CHARLES PARKER, <i>Treasurer</i> ,		Dolls.	Cts.
1838.		Amount brought forward,		51,139	57
Jan.	29.	To received, from Life and Fire Insurance Company, five per cent. on premium by them received,	32 21		
		Monmouth county, for tax of 1827,	2,792 78		
Feb.	12.	Essex county, on account of tax, for 1827,	136 25		
		Balance of tax due from Essex, for 1827,	2,730 86		
		Ætna Insurance Company, five per cent. on premium,	41 31		
		Lafayette, do. do.	30 90		
	28.	Sussex county tax, for 1827,	1,519 29		
March	4.	State Bank at Camden,	1,500		
		New Jersey Manufacturing and Banking Company tax, for 1827,	750		
				<hr/> 9,533 60	
Amount carried forward,				<hr/> 60,673 17	

1823.	CONTRA	CR.	Dolls. Cts.
March 8.	By paid, Peter J. Terhune, member		
	of Assembly,	183 90	
	David J. Christie, do.	186	
	Cornelius Vauriper, do.	177	
	Dennis Coles, do.	171	
	Amzi Dodd, do.	171	
	Stephen D. Day, do.	174	
	Oliver S. Halsted, do.	169 50	
	John W. Mickle, do.	168	
		<hr/> 1,400 40	
	Thomas Bee, do.	167 10	
	Joseph Porter, do.	166 50	
	Henry Freas, do.	178 50	
	William N. Jeffers, do.	175 50	
	Thomas Sinnickson, do.	175 50	
	William B. Ewing, do.	206 50	
	Nathaniel Foster, do.	183 50	
	Elias P. Seeley, do.	177	
		<hr/> 1,430 10	
	James Hopping, do.	171	
	James West, do.	171	
	James Lloyd, do.	171	
	John T. Woodhull, do.	163 50	
	James S. Green, do.	159	
	James D. Stryker, do.	163 50	
	Peter D. Vroom, do.	158 10	
	Jacob Armstrong, do.	177	
	Joseph Chandler, do.	189	
		<hr/> 1,523 10	
	Walter Kirkpatrick, do.	175 80	
	Ephraim Marsh, do.	171	
	Stephen Thompson, do.	173 50	
	David Mills, do.	174	
	Israel Townsend, do.	195	
	Thomas Capner, do.	163 20	
	Enoch Clifford, do.	166 80	
	Isaac G. Farlee, do.	166 50	
		<hr/> 1,388 80	
	Hiram Munson, do.	178 50	
	Jonathan Robbins, do.	168	
	Charles Carson, do.	160 50	
	James Parker, do.	167 40	
	Andrew Snowhill, do.	163 24	
	Charles Rice, for engrossing,	236 25	
	William Gould, Door Keeper,	108	
	Wm. L. Prall, Clerk of Assembly,	189	
		<hr/> 1,370 89	

Dr.

CHARLES PARKER, *Treasurer.*

1877.

Amount brought forward,

Amount carried forward,

Dolls. Cts.

60,673 17

60,673 17

		CONTRA.		CR.	
1828.				Dolls. Cts.	
March	8.	By paid, John Bellerjeau, Sergeant at Arms to Council,	108		
		Daniel Coleman, Secretary to Council,	196		
		Elisha Forman, per allowance in incidental bill,	12	43	
		Joseph Justice, do.	301	37	
		Scudder and Reeder, do.	1		
		William L. Prall, do.	42	54	
		George P. Glentworth, do.	1	50	
		William Gould, do.	22		
			<hr/>		684 84
		George Sherman, do.	45	86	
		David J. Christie, James Parker, and Amzi Dodd, Commissioners to survey and report on the state of the lands at Paterson, belonging to this State,	62	25	
		James Parker, Commissioner on the question of boundary with New York, per incidental bill,	114		
		William B. Ewing, allowance made in incidental bill, to David Davis, William Crowley, Samuel Sherron, Samuel Crowley, John Waters, and M. Reeve,	74	95	
		Martin C. How, for allowance made him in the incidental bill,	5	62	
		L. Q. C. Elmer, Commissioner, on the question of boundary with New York,	162	00	
		Daniel Coleman, for distributing Laws,	15	00	
			<hr/>		479 68
		Thomas L. Woodruff, per incidental bill,	2	00	
		Thomas Cain, do.	6	63	
		John Bellerjeau, do.	1	00	
		Robert S. Buck, do.	60	90	
		Daniel Fenton, do.	56	37	
		David Witherup, do.	3	13	
		William Herwood, do.	1	50	
		Alexander Witherup, per allowance in incidental bill,	5	64	
			<hr/>		137 17
		Charles Parker, Librarian, for attendance at Library,	130	00	

Dr. CHARLES PARKER, *Treasurer.*

1828.

Dolls. Cts.

		Amount brought forward,		60,673	17
April	3.	To received of Attorney General, for a forfeited recognizance against H. Stickler,	53		
	23.	For three months' interest on six per cent. stock of the United States,	39	84	
				<hr/>	92 84
		Amount carried forward,		60,766	01

		CONTRA.	CR.	
1823.			Dolls. Cts.	
March	8.	By paid, for one inquisition from Cape May,	7	62
		Daniel Coleman, for Commissions on appointments in joint-meeting,	42	87
		David Taylor, for allowance in incidental bill,	15	50
	15.	For one inquisition from Monmouth,	14	36
	17.	Sheriff of Middlesex, for transporting two prisoners to State Prison,	16	60
		Sheriff of Middlesex, for prosecution of said prisoners,	98	10
		Charles Parker, per allowance in incidental bill,	327	98
			<hr/>	
	25.	William Marseilles, do.	75	
		P. F. Howell, do.	8	07
		Samuel Evans, on account of allowance to Richard Stockton, Commissioner on boundary with New York,	12	72
	27.	Benjamin Fish, per allowance in incidental bill,	7	50
	28.	Daniel Coleman, one quarters' salary, as Auditor,	12	50
April	3.	Theodore Frelinghuysen, Commissioner on the question of boundary with New York,	132	
	4.	Sheriff of Bergen, for transporting a prisoner to State Prison,	28	80
		Do. do. for taxed bill of costs,	18	03
			<hr/>	
		Sheriff of Morris, for transporting two prisoners to State Prison,	31	37
		Do. do. two taxed bills of costs,	52	94
		Sheriff of Gloucester, for transporting two prisoners to State Prison,	22	86
		Do. do. for two taxed bills of costs,	54	66
		For two inquisitions from Morris,	32	38
	7.	Daniel Fenton, Esq. for bill of books,	245	40
		For tuition of deaf and dumb, in Philadelphia,	402	41
	8.	For two inquisitions from Essex,	26	24
		Isaac H. Williamson, per allowance in incidental bill,	36	47
			<hr/>	
			653 03	
			220 37	
			<hr/>	
			904 73	

Dr.

CHARLES PARKER, *Treasurer.*

1828.

Dolls. Cts.

60,766 01

May 24. To Amount brought forward,
 received from the New Brunswick Bank, for tax of 1827,

450

Amount carried forward,

 61,216 01

		CONTRA.	CR.	
1827.			Dolls.	Cts.
April	S.	By paid, John Bellerjeau, for attendance at Court of Chancery,	7	
		Daniel Coleman, for issuing commissions, &c.	2	
	9.	F. S. Labaw, Keeper of State Prison, salary,	200	
		J. T. French, Clerk, one quarters' do.	125	
		Thomas Neal, Assistant Keeper, one quarters' do.	100	
		William Vanhart, one quarters' do.	100	
		John Cunningham, one quarters' do.	100	
		Joseph Dye, one quarters' do.	100	
			<hr/>	734 00
		Joseph Ashton, Assistant Keeper, one quarters' salary,	18 75	
		Dr. John Howell, Physician, one quarters' do.	18 75	
		Sarah Wood, for six months' pension,	20	
	10.	Daniel Coleman, Esq. for issuing commissions, &c.	4 47	
	11.	Sheriff of Gloucester, for transporting two prisoners, to State Prison,	23 61	
		Do. do. two bills of costs,	120 10	
	15.	G. D. Wall, member of the General Assembly, for his attendance,	156	
	18.	For four inquisitions from Essex,	68 83	
			<hr/>	430 51
		Daniel Coleman, Esq. for issuing commissions, &c.	3 35	
	19.	Do. do. do. do.	1 61	
May	1.	For five inquisitions from Monmouth,	70 73	
		Daniel Coleman, for issuing commissions,	18 87	
		For books, for State Library,	24 60	
		Sheriff of Essex, for transporting a prisoner to State Prison,	18 65	
		Do. do. costs of prosecution,	15 40	
		Lydia Westbrook, for six months' pension,	120	
			<hr/>	273 21
	9.	Sheriff of Monmouth, for transporting a prisoner to State Prison,	11 77	

Dr. CHARLES PARKER, *Treasurer.*

			Dolls.	Cts.
1828.		Amount brought forward,	61,216	01
June	4.	To received, from Peoples' Bank, at Paterson, tax for 1827,	375	
		Salem Banking Company, do.	150	
		State Bank at Morris, do.	340	
		Sussex Bank, do.	137	50
		Paterson Bank, do.	800	
		Washington Bank, do.	467	30
July	1.	Interest for three months, to first instant, on United States' stock,	39	85
Sept.	26.	Samuel Pennington, for proceeds of lands at Paterson,	28	75
			<hr/> 2,338 40	
Amount carried forward,			<hr/> 63,554 41	

		CONTRA.		CR.	
1828.				Dolls. Cts.	
May	9.	By paid, Sheriff of Monmouth, costs of prosecution,	16	91	
		Daniel Coleman, for issuing commissions, &c.	12	15	
	12.	For six months' tuition of deaf and dumb, in New York,	150		
	15.	William Halsted, Law Reporter, his semi-annual salary,	100		
	16.	Lydia Whitlock, for one years' pension,	160		
		Robert F. Stockton, per allowance made Richard Stockton, in incidental bill, as Commissioner on the question of boundary with New York, (balance of)	152		
		John R. Smith, per allowance in incidental bill,	8	25	
		Unice Platt, for six months' pension,	20		
			<hr/>		631 08
		For four inquisitions from Sussex,	54	60	
20.		G. K. Drake, Associate Justice, his semi-annual salary, and holding five circuits,	700		
		G. H. Ford, do. do. his semi-annual salary, and holding four circuits,	670		
		Ebenezer Seeley, per allowance in incidental bill,	10		
21.		For one inquisition from Warren,	16	33	
		G. D. Wall, Esq. Quarter Master General, for six months' salary,	50		
		Zachariah Rossell, Adjutant General, six months' salary,	50		
		Governor, for three months' salary,	500		
			<hr/>		2,050 93
		Theodore Frelinghuysen, a counsel fee, for William Wiat, Esq. counsel for the State of New Jersey, relative to the question with New York,	500		
		Attorney General, his semi-annual salary,	40		
22.		Charles Parker, Treasurer, his semi-annual salary,	550		

Dr.

1837.

CHARLES PARKER, *Treasurer.*

Amount brought forward,

Amount carried forward,

Dolls. Cts.

63,554 41

63,554 41

CONTRA.

CR.

Dolls. Cts.

1827.

May	23.	By paid, Charles Ewing, Chief Justice, his semi-annual salary, and for holding four circuits,	720	
		Daniel Coleman, for issuing commissions, &c.	20	74
	26.	John Bellerjeau, Sergeant at Arms, for attending a Court of Errors,	18	
		Do. do. do. seven days at a Court of Chancery,	7	
		Charles Parker, Librarian,	14	
			-----	1,869 74
		Jeremy Mackey, member of the Court of Appeals,	36	60
		Samuel Pennington, do.	36	
		Samuel Fowler, do.	48	
		Joshua Swain, do.	57	
		John Trenchard, do.	46	20
		Silas Cook, do.	49	
		Christopher Sickler, do.	33	
		H. D. Polhemus, do.	30	
			-----	335 80
		Caleb Newbold, do.	25	50
		George Maxwell, do.	28	
		Andrew Howell, do.	32	10
		James T. Dunn, do.	30	
		Israel R. Clawson, do.	42	
		Nathaniel Board, do.	51	
	30.	Henry Freas, Esq. the amount of the Delaware Oyster Company bonus, per law,	1,000	
	31.	Daniel Coleman, Clerk of Court of Appeals,	24	50
		Do. do. for issuing commissions, &c.	9	31
			-----	1,242 41
June	4.	G. D. Wall, Esq. a counsel fee in relation to the question of New York boundary,	150	
		Sheriff of Cape May, for transporting two prisoners to State Prison,	70	85
		Do. do. two taxed bills of costs,	50	68
		For two inquisitions from Cape May,	26	32
	6.	Daniel Coleman, for issuing commissions, &c.	2	61
	9.	Do. do. do.	1	61
	13.	Do. do. do.	1	86

Dr.
1828.

CHARLES PARKER, *Treasurer.*

Amount brought forward,

Dolls. Cts.
63,554 41

Amount carried forward,

63,554

CONTRA.

CR.

Dolls. Cts.

1828.

June	14.	By paid, Daniel Coleman, for issuing commissions, &c.	2 11	
			<hr/>	306 05
	18.	Sheriff of Middlesex, for transporting two prisoners to State Prison,	16 10	
		Do do. two taxed bills of costs,	113 06	
	19.	Do. Salem, transporting a prisoner to State Prison,	29 12	
		Do. do. a taxed bill of costs,	38 87	
	24.	For allowance made Charles Parker, in incidental bill, for pamphlets of prison discipline,	50	
	25.	Sheriff of Burlington, for transporting two prisoners to State Prison,	10 40	
		Do. do. for two bills of costs,	96 54	
	26.	Sheriff of Gloucester, for transporting two prisoners to State Prison,	23 36	
			<hr/>	369 45
		Do. do. for two bills of costs,	51 10	
		Brigade Inspector of Morris, his salary,	30	
		Lydia Wood, six months' pension,	20	
	27.	Daniel Coleman, for issuing commissions, &c.	15 76	
July	7.	Do. do. do.	4 34	
	9.	F. S. Labaw, Keeper of State Prison, one quarters' salary,	200	
		J. T. French, Clerk, do. one quarters' salary,	125	
		John Cunningham, Assistant Keeper, one quarters' do.	100	
			<hr/>	546 20
		Thomas Neale, do. one quarters' do.	100	
		William Vanhart, do. one quarters' do.	100	
		Joseph Dye, do. one quarters' do.	100	
		Joseph Ashton, do. one quarters' do.	18 75	
		Dr. John Howell, Physician, one quarters' do.	18 75	
		Brigade Inspector of Hunterdon, his salary,	30	
	11.	Daniel Coleman, for issuing commissions, &c.	2	

Dr.

CHARLES PARKER, *Treasurer.*

1838.

Amount brought forward,

Dolls. Cts.

63,554 41

Amount carried forward,

63,554 41

CONTRA.

1838.

July	11.	By paid, George Wood, Esq. a counsel fee, in the case of New York boundary,	150
		Peter D. Vroom, a counsel fee, in the case of New York boundary,	150
		Theodore Frelinghuysen, do. do.	200
	14.	John Bellerjeau, for attendance at a Court of Chancery, as Door Keeper,	8
		P. J. Gray, for printing Votes and Proceedings,	500
		N. Bashford, for covering Laws,	25
	17.	Daniel Coleman, for issuing commissions, &c.	2 49
	19.	For Pitkins' United States' History, Daniel Coleman, for issuing commissions, &c.	6 4 47
	21.	Do. do. for three months' salary, as Auditor,	12 50
	26.	N. Bashford, for binding books,	6 75
August	1.	Asa Belden, for making map cases, &c.	17 37
		For distributing Laws, and Votes and Proceedings,	80
		For one inquisition from Hunterdon,	15 80
		For one do. do. do.	12 00
		Daniel Coleman, for issuing commissions, &c.	1 24
	11.	For two inquisitions from Hunterdon,	21 80
		Brigade Inspector of Warren,	30
	14.	Do. do. Somerset,	30
	20.	One-tenth of State tax transferred to School Fund,	3,000
	21.	Brigade Inspector of Burlington,	30
	22.	G. Sherman, for printing Halsted's fourth volume of Reports,	965 7
		N. Bashford, for covering Halsted's Reports,	27
		For three inquisitions from Monmouth,	48 11

Dr.
1828.

CHARLES PARKER, *Treasurer,*

Amount brought forward,

Dolls. Cts
63,554 41

Amount carried forward,

63,554 41

		CONTRA.		C.R.	
1828.				Dolls. Cts.	
August 23.	By paid, Brigade Inspector of Monmouth, his salary,	30			
	One-half, for distributing Law Reports,	80			
29.	Daniel Coleman, for issuing commissions,	3	47	4,161	06
	Brigade Inspector of Gloucester, his salary,	30			
Sep. 3.	For six inquisitions from Bergen,	77	42		
8.	P. J. Gray, for printing Journal of Council, and Minutes of Joint Meeting,	28	7		
9.	Sheriff of Burlington, for transporting two prisoners to State Prison,	10	65		
	Do. do. for two taxed bills of costs,	74	45		
11.	Subscription for two hundred shares of the Paterson and Hamburg Turnpike stock, in pursuance of law, at twenty-five dollars per share,	5,060			
				5,562	99
24.	Daniel Coleman, for issuing commissions, &c.	1	12		
Oct. 2.	For three inquisitions from Essex, Brigade Inspector of Cumberland, his salary,	36	06		
	Sheriff of Essex, for transporting three prisoners to State Prison,	27	50		
	Do. do. for three bills of costs,	99	16		
3.	Daniel Coleman, for issuing commissions, &c.	2	36		
7.	Francis S. Labaw, Keeper of State Prison, one quarters' salary,	200			
	J. T. French, Clerk, one quarters' salary,	125		396	20
	William Vanhart, Assistant Keeper, one quarters' do.	100			
	John Cunningham, do. one quarters' do.	100			
	Joseph Dye, do. one quarters' do.	100			
	Thomas Neale, do. one quarters' do.	100			
	Joseph Ashton, do. one quarters' do.	16	87		
	Dr. John Howell, Physician, one quarters' do.	18	75		

CHARLES PARKER, *Treasurer.*

	Dolls.	Cts.
Amount brought forward,	63,554	41
To amount of interest on six per cent. stock, up to first instant,	39	74
Received for debt due from School fund,	14,374	59
	<hr/>	<hr/>
	14,414	33
	<hr/>	<hr/>
	77,968	74
	<hr/>	<hr/>
To a balance in the hands of the Treasurer, this day on settlement.	14,201	74

Errors excepted,
CHARLES PARKER, *Treasurer.*

The Committee of Council and Assembly, appointed to settle the Treasurer's accounts, having examined the same, and the others relative thereto, do find them correctly stated. The balance in the hands of the Treasurer, they find to be fourteen thousand two hundred and one dollars, and seventy-four cents.
Boston, October 28th, 1828.

A. HOWELL,
JOHN TRENCHARD,
Committee of Council.

WILLIAM STITES,
JOSEPH JACKSON,
JOSEPH PORTER,
ALEXANDER WURTS,
EDWARD SMITH,

Committee on the part of the House of Assembly.

		CONTRA	CR.	
			Dolls. Cts.	
1828.				
Oct.	7.	By paid, Daniel Coleman, for issuing commissions, &c.	62	
			—	561 24
		Sheriff of Morris, for transporting a prisoner to State Prison,	30	12
		Do. do. for two bills of costs,	95	42
	9.	Do. Salem, transporting two prisoners to State Prison,	38	64
		Do. do. four taxed bills of costs,	121	04
	17.	Sheriff of Somerset, for transporting two prisoners to State Prison,	16	64
		Do. do. amount of two taxed bills of costs,	52	78
		For two inquisitions from Morris,	31	53
	25.	Daniel Coleman, for issuing commissions, &c.	5	46
	27.	Charles Parker, Treasurer, six months' salary,	550	
		William L. Prall, for printing the Laws of the fifty-second Legislature, fifteen sheets, at twenty-nine dollars,	435	
		William L. Prall, for copying and recording the votes and proceedings, &c.	153	12
		G. K. Drake, Associate Justice, of the Supreme Court, for his semi-annual salary, and for holding five Circuit Courts,	700	
			—	2,229 75
		Balance per contra,		14,201 74
				77,968 74

Dr.		<i>Sundries Dr. to General Charges.</i>	Dolls.	Cts.
1828.				
Oct.	23.	To a balance on settlement this day,	21,482	22
		UNCOLLECTED DEBTS—Amount of this account,		231 75
		TAXES—Amount of tax from the several counties, for 1827,	30,060	21
		Bank tax, for 1827,	11,563	78
		Jersey Bank tax and interest for 1826, as will be seen to have been due October 23, 1827,		1,030
		SCHOOL FUND—Amount advanced to purchase stock for its benefit, and repaid,	14,374	59
		INTEREST ACCOUNT—Received for interest on United States' stock,		271 77
		INSURANCE COMPANIES—Five per cent. on premiums,		104 42
		BILLS RECEIVABLE—Due from Thomas Gordon and others, on bond, besides interest,		1,000
		LOAN OFFICE—Stock on hand, October 23, 1827,	12,656	78
			<hr/>	
			92,775 52	
			<hr/>	

1828.				
Oct.	28.	To a balance this day in the Treasury, in sundry Banks, &c. (See contra.)	14,201	74
		Errors excepted,		
		CHARLES PARKER, <i>Treasurer.</i>		

CONTRA.		CR.	
		Dolls. Cts.	
UNCOLLECTED DEBTS—Due from Presbyterian Congregation, at Paterson,		150	
TAXES—Due from Jersey Bank, for tax of 1827,		1,000	
BILLS RECEIVABLE—Due from Thomas Gordon and others, besides interest,		1,000	
LOAN OFFICE—Stock sold to pay canal bonus,		10,000	
Balance on hand,		2,656 78	
		<hr/>	12,656 78
APPROPRIATIONS—Amount of account,		8,000	
STATE PRISON,	do. do.	3,029 37	
SCHOOL FUND,	do. do.	14,000	
DEAF & DUMB,	do. do.	702 41	
STATE LIBRARY,	do. do.	307 06	
JURISDICTIONS,	do. do.	1,150	
SALARIES,	do. do.	7,135	
PENSIONS,	do. do.	500	
INCIDENTALS,	do. do.	2,404	
LEGISLATURE,	do. do.	14,730 20	
TRANSPORTATIONS, &c.,	do.	2,818 94	
STATE ACCOUNT,	do. do.	3,510 19	
MILITIA,	do. do.	774 02	
PRINTING,	do. do.	2,399 75	
INQUISITIONS,	do. do.	2,305 45	
		<hr/>	63,767
Balance due the Treasury in sundry Banks, as follows :			
Trenton Banking Company,		13,708 74	
State Bank at Newark,		28 75	
State Bank at Elizabeth,		42 93	
Salem Banking Company,		150	
Peoples' Bank at Paterson,		95	
State Bank at Morris,		8 32	
Newark Banking and Insurance Company,		53	
Due from Daniel Coleman, (no receipts yet produced,)		115	
		<hr/>	14,201 74
			<hr/>
			92,775 52

WE, the Committee of Council and Assembly, having examined the foregoing statement, and compared it with the books kept by the Treasurer; find them to agree with the amount of balance in banks, &c. they find to correspond with his account current.

October 28, 1828.

A. HOWELL,
JOHN TRENCHARD,
Committee of Council.

WILLIAM STITES,
JOSEPH JACKSON,
JOSEPH PORTER,
ALEXANDER WURTS,
EDWARD SMITH,

Committee on the part of the House of Assembly.

A SUMMARY RECAPITULATION
OF THE
NEW JERSEY SCHOOL FUND,
OCTOBER 28, 1828.

			This column shows the amount of re- ceipts since Octo- ber 23d, 1827.	This column shows the amount of dis- bursements since Oct. 23d, 1827.	This column shows the amount of sto- cks purchased since Oct. 23d, 1827, with the amount of the same kind on hand at that time.	This column shows the total amount of stocks and proper- ty, of which the school fund con- sists at this time.
January 8, 1828.	Taken from the State funds, to purchase stock for school fund,	No.	14,000 00			
	Amount of 4½ per cent stock on hand, October 23, 1827,	1			109,252 72	
7,	Purchased this day, of the 4½ per cent stock,	2		7,000 00	6,869 78	
March 4,	do. do. do.	3		10,075 00	10,000 00	126,122 50
Oct. 3,	1 years' interest on the first sum, and nine months' on the two last, to first inst.		5,485 66			
1828.	Amount of 6 per cent stock of 1815, on hand 23d October, 1827,	1			21,237 82	
July 9,	Purchased this day,	2		416 00	400 00	
Oct. 1,	One years' interest on the first sum, and three months' on the second, to this day,		1,280 24			
1828.	Amount of 6 per cent stock of 1814, on hand 23d October, 1827,	1			15,689 90	
January 7,	Purchased of 6 per cent stock of 1814, this day,	2		7,000 00	6,879 61	
March 4,	Purchased of do. do.	3		34,149 16	33,561 83	21,637 82
	Amounting to	4			56,131 34	
July 1,	Deduct amount of 6 per cent stock of 1814, paid off this day,	5	18,819 31		18,869 36	
	Leaving	6			37,311 98	
8,	Purchased of 6 per cent stock of 1814,	7		14,818 77	14,702 46	
Sept. 10,	do. do.	8		3,082 38	3,000 00	55,014 44
	Received nine months' interest on the first sum, and six months' on the second and third,		1,919 25			
	Received three months' interest on the sixth sum from July to October, and three months' interest on the seventh sum, the interest for three months' on the eighth sum still remains due: this last stock was purchased 10th September, 1828,		780 21			
	Received from the State 1-10 of Tax for 1827,	1	3,000 00			
1828.	1333 shares of Trenton Bank stock, on hand October 23d, 1827,	1			39,990 00	
	Received for a semi-annual dividend, declared first January, 1828,	2	1,599 60			
March 4,	Deduct for 1200 shares sold, to Pearson Hunt, Esq.	4	43,000 00		36,000	3,990 00
	Received for a half yearly dividend, on 133 shares, up to July 1st, 1828,	5	159 60			
Oct. 1,	Received for tax on the capital of the Monmouth Bank, for 1827,	1	200 00			
	250 shares of Newark turnpike stock in hand, October 23d, 1827,	1				12,500 00
	Received for two dividends, declared since October 23d, 1827,	2	625 00			
	40 shares of Cumberland Bank stock, on hand 23d October, 1827,					2,000 00
	Received for two semi-annual dividends,		120 00			
	20 shares of Sussex Bank stock, on hand October 23d, 1827,					1,000 00
	Received for two semi-annual dividends,		60 00			
	Amount of cash on hand,					133 02
	Due for interest on 6 per cent stock of 1814, purchased 10th Sept. 1828,					45 00
Oct. 1828.	Paid a debt due the state,			14,374 59		
	Amount of receipts since 23d of October, 1827,		\$91,048 92			
	Amount of disbursements since 23d of October, 1827,			90,915 90		
28,	Total amount of school fund this day,					\$222,442 78

We, the committee of Council and Assembly, appointed to settle with the Treasurer of the State, having examined the foregoing statement and compared it with the evidences relating thereto, do find it in all things correct, and the balance in his hands at this time belonging to the School Fund, we find to be one hundred and thirty-three dollars and two cents, as appears by said statement.

Trenton, October 28, 1828.

A. HOWELL, JOHN TRENCHARD, *Committee of Council.*

WILLIAM STITES, EDWARD SMITH, JOSEPH PORTER, JOSEPH JACKSON, ALEXANDER WURTS,
Committee of Assembly



Dr.		CHARLES PARKER, <i>Treasurer</i> , in <i>Account current with</i>			
1828.				Dolls.	Cts.
Jan.	1.	To received, from the funds of the State, in anticipation of income,		14,000	
Feb.	2.	Pearson Hunt, Esq. for twelve hundred shares of Trenton Bank Stock,		43,000	
		For three months' interest on United States' stock,		1,782	97
		Dividend on one thousand three hundred and thirty-three shares of Trenton Bank stock, up to 1st ultimo,		1,599	60
April	23.	On account of interest due on United States' stock, the 1st instant, \$2,195 96			
June	23.	Balance of do. due as above,	383 42		
				2,579	38
July	11.	Three months' interest, due the 1st instant, on United States' stock,		2,579	38
		Six per cent. stock of 1814, paid off this day,		18,819	36
August	1.	Dividend on one hundred and thirty-three shares of Trenton Bank stock, declared the 1st ult.		159	60
	20.	One-tenth of State tax, for 1827,		3,000	
October	3.	On account of interest due on United States' stock, the 1st instant,		2,523	63
		For two dividends, declared on Newark Turnpike stock, since September, 1827,		625	
	6.	Two semi-annual dividends, declared on twenty shares of Sussex Bank stock,		60	
	8.	Two do. do. do. forty do. Cumberland Bank stock,		120	
		Tax of 1827, on Monmouth Bank stock,		200	
				91,048	92
<hr/>					
1828.					
October	28.	To a balance in the hands of the Treasurer, this day on settlement,		133	02
		Errors excepted,			

CHARLES PARKER, *Treasurer*.

The Trustees of the New Jersey School Fund. CONTRA. CR.

1828.		Dolls Cts.	
Jan.	7.	By paid, for thirteen thousand seven hundred and forty-nine dollars, and thirty-nine cents, of United States' stock, per bill,	14,000
March	4.	43,561 83, of do.	44,224 16
July	8.	13,895 79, do.	14,000
	9.	1,206 67, do.	1,234 77
Sept.	10.	3,000 do.	3,082 38
Oct.	11.	The State of New Jersey, for money taken the 1st of January, 1828, and a debt due before,	14,374 59
		Balance due per contra,	133 02
			<hr/>
			91,048 92

WE, the Committee of Council and Assembly, appointed to settle with the Treasurer, having examined the above account, do find the same correctly stated. They find a balance to his credit in the Trenton Bank, of one hundred and thirty-three dollars, and two cents, agreeably to the said account.

A. HOWELL,
JOHN TRENCHARD,
Committee of Council.

WILLIAM STITES,
JOSEPH JACKSON,
JOSEPH PORTER,
ALEXANDER WURTS,
EDWARD SMITH,
Committee on the part of the House of Assembly.

Which report was read, and together with the accounts, ordered to lie on the table.

The House adjourned to ten o'clock to-morrow morning.



WEDNESDAY, November 5, 1828.

Ten o'clock the House met.

Mr. Pennington presented a letter from Cadwallader D. Colden, President of the Morris Canal Company, praying that a committee be appointed to examine said canal.

Which letter was read, and ordered to lie on the table.

Mr. Coles presented the petition of Eliza M. Holden, of the county of Essex, praying to be divorced from her husband, Peter Holden.

Which petition was read, and committed to Messrs. Walling and Townsend.

Mr. Wurts presented the abstract of rateables of the county of Hunterdon.

Which was ordered to lie on the table.

Mr. Eayre submitted the following resolution :

Resolved, That a committee be appointed to enquire whether any, and if any, what, alterations are necessary in the act concerning Inns and Taverns ; and the different amendments and supplements thereto.

Which resolution was read, and agreed to, and Messrs. Eayre, Voorhees, and Coles accordingly appointed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that Council have passed the bill from the House of Assembly, entitled *A supplement to An act to enable William S. Pennington of the county of Essex, to carry into effect a trust therein named*, passed on the twenty-seventh day of November, one thousand eight hundred and twenty-three,

Without amendment.

Mr. Walling, by leave of the House, presented a bill entitled, *A further supplement to the act entitled, An act concerning roads*, passed the ninth of February, one thousand eight hundred and twenty-eight.

Which bill was read, and referred to the committee on that subject.

On motion it was ordered, that a standing committee, to consist of five persons, be appointed on the subject of public education.

Whereupon, Messrs. Nevius, N. Foster, Wurts, Monroe, and Eayre were accordingly appointed.

Mr. Shinn, from the committee to whom was committed No. 23. of unfinished business entitled, A supplement to an act to secure to creditors an equal and just division of the estates of debtors who convey to assignees for the benefit of creditors,

Reported the same without amendment.

Which bill was read, and ordered a second reading, and to be printed.

Mr. Stratton submitted the following resolution:

Resolved, That a committee be appointed to enquire what alterations, if any are necessary, in the Act entitled, An act relative to jurors, passed November sixth, one thousand eight hundred and twenty-seven, with leave to report by bill or otherwise.

Which resolution was read, and agreed to, and Messrs. Stratton, Wurts, and Jackson accordingly appointed.

The bill entitled, An act respecting the real estate of Jacob Armstrong, dec.

Was read a second time, gone through with by section, and ordered to be engrossed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Hillard presented the petition of a number of the inhabitants of the county of Morris, recommending the attention of the Legislature to the establishment of a system of common schools.

Which petition was read, and referred to the committee on that subject.

Mr. Stites from the committee to whom was committed No. 26. of unfinished business, a bill entitled, An act to repeal certain acts therein named,

Reported the same without amendment.

Which said bill was read and dismissed.

Mr. Howell, from the committee to whom was referred the petition of Elizabeth Drummond, praying to be divorced from her husband, John Drummond,

Reported a bill entitled, An act to divorce Elizabeth Drummond from her husband, John Drummond.

Which bill was read, and ordered a second reading.

The bill entitled, An act to divorce Elizabeth Drummond from her husband, John Drummond,

Was read a second time, gone through with by section, and ordered to be engrossed.

The House adjourned to ten o'clock to-morrow morning.

THURSDAY, November 6, 1828.

Ten o'clock the House met.

Mr. Nevius presented a petition from sundry inhabitants of Somerset county, recommending the attention of the Legislature to the establishment of a system of common schools.

Which petition was referred to the committee on that subject.

Mr. Nevius presented a petition from a number of inhabitants of Somerset county, praying an alteration of the judicial system of this State, by the appointment of President Judges in the county courts.

Which petition was read, and referred to the committee on the subject of the judicial system.

Mr. Nevius presented the memorial of the convention of the friends of internal improvement, praying for the adoption of measures for the construction of a canal, to connect the waters of the Delaware and Raritan rivers.

Which memorial was read, and committed to Messrs. Nevius, Potts, and Lloyd.

Mr. Stites submitted the following resolution :

Resolved, That a committee be appointed to enquire whether some alteration is not necessary in the present law, relative to inquests of deaths and that they report to this, or the next sitting of the Legislature by bill or otherwise,

Which resolution was read, agreed to, and Messrs. Stites, Porter and Wurts, accordingly appointed.

Mr. Carson submitted the following preamble and resolution :

Whereas, it has been usual for the Legislature, to enact laws, which take effect from their passage, and from some cause, the printing and promulgation of those laws, have been delayed until many months thereafter, leaving the Courts of Justice in great uncertainty, if not subjecting the people to much inconvenience and loss, Therefore

Resolved, That a joint committee be appointed; to take the subject into consideration, and report thereon, and also on the printing of the Journal of Council, and the Votes and Proceedings of this House.

Which preamble and resolution were read, agreed to, and Messrs. Carson, Seeley, and Pennington, accordingly appointed.

Ordered, That the Clerk carry said resolution to Council, and request their concurrence therein, and the appointment of a corresponding committee.

The bill entitled, An act concerning James Guild, a coloured boy, convicted of the crime of murder,

Was read a second time, and postponed.

The bill entitled, An act to incorporate the Trenton Printing Calico Manufactory,

Was read a second time, gone through with by section, the title so amended as to read, An act to incorporate the Trenton Calico Printing Manufactory, and was then ordered to be engrossed.

The resolution laid on the table on the fourth inst. fixing the time of the adjournment, and re-assembling of the House,

Was called up, and made to read as follows :

Resolved, That this House will, on Wednesday next, the twelfth instant, adjourn for the sitting, to meet on the first Tuesday of January next.

Which resolution was then agreed to.

The engrossed bill, entitled, An act to divorce Elizabeth Drummond from her husband, John Drummond,

Was read a third time and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Carson,
Clifford,
Coles,
Eayre,
Ellis,
Emley,
Estell,
Ewing, (Speaker.)
Farlee,
J. Foster,
N. Foster,
Godwin,
Hancock,
Hillard,
Hopper,
Howell,

Messrs. Jackson,
Lloyd,
Merkel,
Monroe,
Porter,
Robbins,
Seeley,
Smith,
Snowhill,
Stites,
Stratton,
Townsend,
Vleit,
Voorhees,
Walling,
West,
Westervelt,

Zabriskie,—35.

NAYS,

Messrs. Black,
Nevius,

Messrs. Potts,
Wurts,—4.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon.

Three o'clock the House met.

Mr. Pennington, from the committee to whom was referred No. 29. of unfinished business,

Reported a bill entitled, An act to dissolve the marriage contract between Samuel Williams, and Mary his wife.

Which bill was read, and ordered a second reading.

Mr. Coles, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to divorce Elizabeth M. Holden from her husband, Peter Holden.

Which bill was read, and ordered a second reading.

Mr. Monroe, from the committee appointed for that purpose,

Reported a bill entitled, An act for the support of the government of this State.

Which bill was read, ordered a second reading, and to be printed.

Mr. Jackson submitted the following preamble and resolution :

Whereas, the Morris Canal and Banking Company, by Cadwalader D. Colden, Esq. their President, having requested the Legislature to appoint a committee to view the said canal and inclined planes, during the ensuing recess, and to report generally, to the next sitting of the Legislature, such matters respecting the same, as might appear to them right and proper : Therefore,

Resolved, That a committee be appointed on the part of this House, for the purpose above specified, and that Council be requested to appoint a correspondent committee, consisting of such members as they may think expedient.

Which preamble and resolution was read, and agreed to, and Messrs. Stites and Ewing, (Speaker,) accordingly appointed ; and the Clerk ordered to inform Council thereof, and request them to appoint a correspondent committee.

The House resumed the consideration of the bill entitled, An act concerning James Guild, a colored boy convicted of the crime of murder

The first section of which was disagreed to, and the bill dismissed.

The engrossed bill entitled, An act respecting the real estate of Jacob Armstrong, deceased,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, An act to incorporate the Trenton Calico Printing Manufactory,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Annin,
Black,
Carson,
Clifford,
Coles,
Eayre,
Ellis,
Emley,
Estell,
Ewing, (Speaker,)
Farlee,
J. Foster,
N. Foster,
Godwin,
Hillard,
Hopper,
Howell,

Messrs. Jackson,
Lloyd,
Merkel,
Nevius,
Pennington,
Porter,
Potts,
Robbins,
Seeley,
Smith,
Snowhill,
Stites,
Stratton,
Townsend,
Voorhees,
West,
Wurts,

Zabriskie--35.

NAYS,

Messrs. Hancock,
Monroe,

Messrs. Vleit,
Walling,

Westervelt—5.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

Mr. Seeley submitted the following resolution:

Resolved, That this House is ready to go into a Joint Meeting, for the appointment of a Treasurer, Inspectors of the State Prison, Clerks and Surrogates of counties, and such other civil and military officers as may be deemed necessary, in the several counties of this State, and request Council to appoint the time and place of said meeting.

Which resolution was read, and ordered to lie on the table.

The report of the joint-committee, on the accounts of the Treasurer of the State, and the certificate of settlement accompanying the same,

Was called up, agreed to, and the Clerk ordered to carry the same to Council, and request their concurrence therein.

The House adjourned to ten o'clock to-morrow morning.

FRIDAY, November 7, 1828.

Ten o'clock the House met.

Mr. Voorhees presented the petition of George Young, of Somerset county, praying to be divorced from his wife.

Which petition was read, and committed to Messrs. Voorhees, J. Foster, and Evans.

Mr. Nevins submitted the following resolution :

Resolved, That the Clerk inform Council, that this House has appointed a committee to take into consideration the subject of common schools, and request that a correspondent committee on that subject be appointed by them.

Which resolution was read and agreed to.

The resolution submitted by Mr. Seeley, last evening, for the Clerk to inform Council, that the House was ready to go into a Joint Meeting for the appointment of certain officers,

Was called up, and amended by striking out the words, " Inspectors of the State Prison," and then agreed to, and sent to Council for them to fix the time and place.

Mr. Emley submitted the following resolution :

Resolved, That a committee be appointed to enquire whether any, and if any, what, alterations are necessary in the law relative to bridges, and have leave to report by bill or otherwise.

Which resolution was read, agreed to, and Messrs. Emley, Ellis, and Clifford, accordingly appointed.

The bill entitled, A supplement to an act to secure to creditors an equal and just division of the estates of debtors, who convey to assignees for the benefit of creditors,

Was read a second time, and postponed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council will be ready to go into a joint meeting, for the purpose of appointing a Treasurer, Clerks, and Surrogates of counties, and such other civil and military officers as may be deemed necessary in the several counties of this State, to-morrow morning, at ten o'clock, in the Assembly room.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Porter presented a petition from a number of the inhabitants of this State, praying the passage of a law, to authorize the construc-

tion of a rail road, between Camden, on the Delaware, and the bay of Amboy.

Which petition was read, and committed to Messrs. Porter, Carson, and Black.

Mr. Godwin submitted the following resolution :

Resolved, That the Inspectors of the State Prison, report to this House at their next sitting, an estimate of the probable expenses of arranging the State Prison, so as to confine the prisoners in separate rooms during night.

Which resolution was read and agreed to.

A message from Council, by Mr. Coleman their Secretary, informed the House, that the Council have appointed Messrs. Harrison and Clawson, a committee on their part, to take into consideration the subject of common schools ; and,

Messrs. Condit and Ryerson, a committee to take into consideration the subject of printing and promulgating the laws of the State, the Journals of Council, and the Votes and Proceedings of the Assembly, in order to ensure their timely publication ; and

Mr. Howell, a committee man on their part, to view the Morris canal and its inclined planes, during the recess of the Legislature.

The House then made their nominations for offices, to be filled in the ensuing Joint Meeting, a duplicate of which was sent to Council,

And the House adjourned to ten o'clock to-morrow morning.



SATURDAY, November 8, 1828.

Ten o'clock the House met.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have examined the report of the joint committee, relative to the Treasurer's accounts, and have approved the same.

The Council came into the Assembly room, the two Houses went into a Joint Meeting, and after going through their appointments, the Joint Meeting rose, the Speaker resumed the chair, and the House came to order.

Mr. Voorhees, from the committee on that subject,

Reported a bill entitled, An act to dissolve the marriage contract between John Young and Joan Young.

Which bill was read, and ordered a second reading.

The bill entitled, An act for the support of the government of this State,

Was read a second time, gone through with by section, and ordered to be engrossed.

The House adjourned to ten o'clock on Monday morning.

MONDAY, November 10, 1828.

Ten o'clock the House met.

The engrossed bill entitled, An act for the support of the government of this State,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

Mr. Seeley from the committee to whom was committed No. 22. of unfinished business, A bill entitled, An act to amend the first section of an act entitled, A supplement to the act entitled, an act respecting conveyances, passed the seventh day of June, one thousand seven hundred and ninety-nine, and to an act entitled, An act to register mortgages, passed the seventh day of June, one thousand seven hundred and ninety-nine, which said supplement was passed the fifth day of June, one thousand eight hundred and twenty,

Reported, That in their opinion, it is unnecessary to make any alteration or amendments, in the existing laws on that subject, and recommend to the House that the bill committed to them, be dismissed.

Which report was read, and agreed to.

Mr. Shinn submitted the following preamble and resolution :

Whereas, it has been represented to the Legislature, that an incorporated company, located at Salem, in this State, called "The Salem and Philadelphia Manufacturing Company," have been issuing and circulating bills or notes, purporting to be bank notes ; and, whereas, it appears from the provisions of the charter of the said company, that they have no power or authority to employ their capital stock in banking operations : Therefore,

Resolved, That a committee be appointed, for the purpose of enquiring into the affairs of the said company relative to the employment of any part of their capital stock in the manner aforesaid, and that the said committee have power to send for persons and papers ; and that they be instructed to institute the said enquiry, at as early a day as possible, and that they have leave to report by bill or otherwise.

Which preamble and resolution was read, agreed to, and Messrs. Shinn, Black, and Pennington, accordingly appointed.

The House resumed the consideration of the bill entitled, A supplement to An act to secure to creditors an equal and just divi-

sion of the estates of debtors, who convey to assignees for the benefit of creditors.

The first section of which was disagreed to, and the bill dismissed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled, An act to divorce Elizabeth Drummond, from her husband, John Drummond; the bill from the House, entitled, An act respecting the real estate of Jacob Armstrong, deceased; and the bill entitled, An act to incorporate the Trenton Calico Printing Manufactory, respectively,

Without amendment.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

The bill entitled, An act to dissolve the marriage contract between George Young and Joan Young, his wife,

Was read a second time with the accompanying documents, the first section disagreed to, and the bill dismissed.

No. 8, of unfinished business, a bill entitled, An act to incorporate the Woodstown Fire Engine Company, of Salem county,

Was read, and committed to Messrs. Shinn, Potts and Coles.

Mr. Smith submitted the following resolution:

Resolved, That a committee be appointed to enquire whether any, and if any, what, alterations are necessary in the existing laws of this State, directing the mode of taxing bills of costs, in criminal prosecutions, and also, in the laws granting compensation to Sheriffs, for transporting state prisoners to the State Prison of the State, and that the committee have leave to report by bill or otherwise.

Which resolution was read, agreed to, and Messrs. Smith, Wurts, and Snowhill, accordingly appointed.

The House adjourned to ten o'clock to-morrow morning.



TUESDAY, November 11, 1828.

Ten o'clock the House met.

Mr. Shinn, from the committee to whom was referred the resolution on the subject of the Salem and Philadelphia Manufacturing Company,

Reported, That the Legislature of this State, on the thirtieth day of November, one thousand eight hundred and twenty-five, incorporated the said company, by an act entitled, An act to incorporate the Salem Steam Mill and Manufacturing Company, in the county of Salem ; that the objects of the said corporation were solely for the purposes of manufacture, and without any banking privileges ; that it was provided by the tenth section of that act, in express terms, that the said corporation should not carry on any banking operation. The Legislature, at their last session, and on the twenty-sixth day of February. of the present year, passed a supplement to the said act, changing the name of the said corporation, to that of "The Salem and Philadelphia Manufacturing Company," and authorising the company to increase their capital stock, to a sum not exceeding two hundred thousand dollars, but this supplement did not change, or extend, in the opinion of the committee, the powers and privileges granted by the original charter.

Your committee have satisfactorily ascertained, from information derived from the members of this House, residing in the county of Salem, and other counties, that the said corporation have issued a very considerable number of bills, and that they are now extensively circulated, contrary to the provisions and the powers granted by the aforesaid acts. Some of these bills, signed by R. Craven, as president, and M. W. Miller, as treasurer, have been produced and shewn to your committee.

Under these circumstances, and believing, from full and general information, that the foregoing statement is true, your committee are of opinion, that the said corporation have transcended their privileges, and that their chartered rights should be repealed. Upon looking into the act, no power is reserved, in express terms, in the Legislature, to repeal the charter, in case of its abuse ; and according to the opinion of the Attorney General, contained in his report at the last session, on the subject of the Jersey Bank and others, the right to repeal in such case, by an act of the Legislature, seems to be questioned, and at all events, he recommends in such case, that legal proceedings be adopted in the Supreme Court.

Under this view of the matter, the following resolution is recommended :

Resolved, By the Council and General Assembly of this State, that the Attorney General be, and he is hereby requested, to take such legal measures against "The Salem and Philadelphia Manufacturing Company," as in his opinion may be necessary, for the purpose of judicially investigating the legality of their proceedings, and of forfeiting their charter.

Which resolution was read, agreed to, the Speaker ordered to sign the same, and the Clerk to carry the same to Council, and request their concurrence therein.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have examined, and approved of the bond given by the Treasurer, for the faithful performance of the

duties of his office, and request the House of Assembly to examine, and if satisfactory, also to approve of the same, which is herewith presented; and,

That the Council have passed the bill, from the House of Assembly, entitled, An act for the support of the government of the state, Without amendment.

The bond given by the Treasurer of the State, was read and approved in the House, and the Clerk ordered to inform Council thereof.

Mr. Nevius submitted the following resolution :

Resolved, By the Council and General Assembly of this State, that the Governor be requested, during the recess of the Legislature, to procure, in such a manner as he may deem expedient, the entire amount of tonnage of all goods, wares, merchandize and produce, which passes annually between the city of New York, and all ports and places on the Delaware river and bay, and the average price, per ton, from Philadelphia to New York, coastwise; and also between said city and all ports and places, on and around the Chesapeake bay, with a view of ascertaining, as near as may be, what would be the probable amount of tonnage, which would yearly pass through a canal, if constructed to connect the tide waters of the Delaware and Raritan; also to ascertain and report to this House, the amount of tonnage of all goods, wares, merchandize and products, that have been transported on the Erie canal, in the state of New York, during the present year, and also the amount of tolls that have been paid for transportation of the same.

Which resolution was read, agreed to, the Speaker ordered to sign the same, and the Clerk to carry the said resolution to Council, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Hopper presented the petition of George Kanouse, of Bergen county, praying to be divorced from his wife.

Which petition was read, and committed to Messrs. Hopper, Clifford, and Hillard.

Mr. Stratton presented the petition of B. W. Richards and J. Lippincott, of Philadelphia, praying the incorporation of a company for manufacturing purposes, in Gloucester county.

Which petition was read, and committed to Messrs. Stratton, Voorhees, and Shinn.

Mr. Emley presented the petitions of sundry inhabitants of Burlington county, praying the establishment of a system of common

schools, and Mr. Stratton, a petition from Gloucester, on the same subject.

Which petitions were referred to the committee on that subject.

Mr. Potts presented the petition of sundry inhabitants of Hunterdon county, praying the passage of a law to authorise the construction of a canal, up the river Raritan to Hunt's Mills, in said county.

Which petition was read, and committed to Messrs. Potts, Annin, and Jackson.

Mr. Pennington, from the committee appointed for that purpose,

Reported a bill entitled, An act to defray incidental charges.

Which bill was read a first and second time, considered by section, and ordered to be engrossed.

The bill entitled, An act to abolish imprisonment for debt, in certain cases,

Was read a second time, and postponed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the report and resolution from the House of Assembly, relative to "The Salem and Philadelphia Manufacturing Company," and the resolution from the House, requesting the Governor of this State, to obtain information relative to the amount of tonnage and transportation, and the cost thereof, between certain places therein named, respectively,

Without amendment.

The House adjourned to eight o'clock to-morrow morning.



WEDNESDAY, November 12, 1828.

Eight o'clock the House met.

The engrossed bill entitled, An act to defray incidental charges, Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

Mr. Stratton, from the committee to whom was referred the petition on that subject,

Reported, a bill entitled, An act to incorporate the Pleasant Mills Manufacturing Company, in Gloucester county.

Which bill was read, and ordered a second reading.

A message from Council, by Mr. Coleman, their Secretary, in-

formed the House, that the Council have passed the bill from the House of Assembly, entitled, An act to defray incidental charges,
Without amendment.

The House adjourned to the first Tuesday in January next.

ADJOURNED SITTING.

TRENTON, TUESDAY, JANUARY 6, 1829.

The House of Assembly this day met, pursuant to adjournment, and a quorum being present, proceeded to business.

Ordered, That the Clerk inform Council accordingly.

Mr. Eayre presented the memorial of John M. Christopher, and Dorothy his wife, and Amos Wilkins, and Ann his wife, devisees of John Hewlings, late of the county of Burlington, deceased; praying the appointment of a commissioner, in lieu of one refusing to serve, to divide real estate of said deceased, pursuant to his last will and testament.

Which memorial was read, and committed to Messrs. Eayre, Wurts, and Monroe.

A message from Council, by Mr. Hamilton, their Secretary, *pro tempore*, informed the House, that the Council have this day met, formed a quorum, appointed Samuel R. Hamilton, Secretary, *pro tempore*, and proceeded to business.

The House adjourned to ten o'clock to-morrow morning.



WEDNESDAY, January 7, 1829.

Ten o'clock the House met.

Mr. Seeley, of Cumberland, and Mr. J. Foster, of Salem, severally presented petitions from inhabitants of their respective counties, praying for a system of common school education.

Which petitions were read, and referred to the committee on that subject.

Mr. Jackson, of Morris, and Mr. Voorhees, of Somerset, severally presented the abstracts of rateables of their respective counties.

Which were ordered to lie on the table.

Mr. Vleit presented a petition from inhabitants of the coun-

ty of Warren, for authority to drain the meadows, in Independence, in said county, situated on the margin of the Peaquest creek.

Which petition was read, and committed to Messrs. Vleit, Carson, and Ellis.

Mr. Robbins presented a remonstrance from inhabitants of Warren county, against draining said meadows.

Which was read, and referred to the same committee.

Mr. Pennington presented the petition of the President, Directors, and Company of the State Bank at Newark, praying a renewal of their charter.

Which petition was read, and committed to Messrs. Pennington, Jackson, and Porter.

Mr. Jackson presented a petition from the President, Directors, and Company of the State Bank at Morris; Mr. Porter, a petition from the President, Directors, and Company of the State Bank at Camden; and Mr. Stites, a petition from the President, Directors, and Company of the State Bank at Elizabethtown; each praying a renewal of their charter.

Which petitions were read, and referred to the above named committee.

Mr. Hopper presented the petition of Samuel C. Halsted, of Bergen county, praying to be divorced from his wife, Emeline.

Which petition was read, and committed to Messrs. Hopper, Coles, and Lloyd.

Mr. Voorhees presented the petition of Abraham Goltry, of Somerset county, praying to be divorced from his wife, Sarah.

Which petition was read, and committed to Messrs. Voorhees, Robbins, and Walling.

Mr. Townsend presented the petition of Amelia Garretson, of Cape May, praying to be divorced from her husband.

Which petition was read, and committed to Messrs. Townsend, Evans, and Estell.

Mr. Wurts and Mr. Farlee, severally presented petitions of sundry inhabitants of Hunterdon county, praying for a law to authorise the cutting a canal from Hunt's Mills, in Hunterdon, along the river Raritan, to Perth Amboy, in Middlesex county.

Which petitions were read, and referred to the committee on that subject.

Mr. Coles presented the petition of a number of the legatees of Isaac Clark, late of the township of Westfield, county of Essex, deceased, praying for a law to authorise the sale of the remaining real estate of said deceased.

Which petition was read, and committed to Messrs. Coles, Potts, and Smith.

Mr. Carson with leave, presented a bill entitled, An act for the punishment of crimes.

Which bill was read, ordered a second reading, and to be printed.

The house adjourned to three o'clock in the afternoon.

Three o'clock the House met.

Mr. Emley presented the remonstrance of a number of the inhabitants of the county of Burlington, against the passage of a law for the construction of the Delaware and Raritan canal.

Which remonstrance was read, and referred to the committee on that subject.

Mr. Hancock presented a petition from inhabitants of Morris county, praying a law to regulate the catching of muskrats, for the preservation of fur.

Which petition was read, and committed to Messrs. Hancock, West, and Shinn.

Mr. Hillard presented a petition from a number of the inhabitants of Morris county, praying for a law to authorise the draining of Budd's pond, in said county.

Which petition was read, and committed to Messrs. Hillard, Merkel, and Annin.

Mr. Shinn presented the abstract of rateables of the county of Salem.

Which was ordered to lie on the table.

Mr. Eayre from the committee, to whom was referred the petition on that subject,

Reported a bill entitled, An act authorizing the commissioners therein named, to divide the real estate, which was of John Hewlings, late of the county of Burlington, at the time of his death, into two equal parts.

Which bill was read, and ordered a second reading.

Mr. Voorhees from the committee, to whom was referred the petition on that subject,

Reported a bill entitled, An act to divorce Abraham Goltry of the county of Somerset, from his wife Sarah.

Which bill was read, and ordered a second reading.

Mr. Potts, with leave, presented a bill entitled, A supplement to an act entitled, An act to incorporate the Columbian Steam Boat Company, passed the twelfth day of February, in the year of our Lord one thousand eight hundred and twenty-eight.

Which bill was read, and ordered a second reading.

Mr. Pennington, with leave, presented a bill entitled, An act respecting the time of holding certain courts in the county of Sussex.

Which bill was read, and ordered a second reading.

The bill entitled, An act to divorce Lydia Kirby from her husband, Jonathan Kirby,

Was read a second time with the accompanying documents, considered by section, and ordered to be engrossed.

The house adjourned to ten o'clock to-morrow morning.

THURSDAY, January 8, 1829.

Ten o'clock the House met.

Mr. Robbins presented the petition of a number of the inhabitants of Warren county, praying an appropriation by the state, for the purpose of constructing a road across the Blue mountain, at the Water Gap.

Which petition was read, and committed to Messrs. Robbins, Carson, and Clifford.

Mr. Eayre presented a remonstrance from a number of the inhabitants of Burlington and Monmouth, against the formation of a new county, to be called "Atlantic," out of parts of said counties.

Which remonstrance was read, and committed to the committee on that subject.

Mr. Black presented a number of petitions from inhabitants of Burlington county, in favour of a rail road, from Camden to the bay of Amboy.

One of which petitions was read, and together, referred to the committee on that subject.

Mr. Potts presented two several memorials of inhabitants of Hunterdon county, praying the establishment of a system of common schools.

Which petitions were referred to the committee on that subject.

Mr. Nevius presented the petition of the President, Directors, and Company of the State Bank at New Brunswick, praying a renewal of their charter.

Which petition was read, and committed to the committee on that subject.

Mr. Pennington presented the petition of Lauretta Bagg, of Newark, in Essex county, praying to be divorced from her husband.

Which petition was read, and committed to Messrs. Pennington, Howell, and Zabriskie.

The Speaker laid before the House the following communication from the Treasurer:

To the Honourable William B. Ewing Esqr. Speaker of the House of Assembly of New Jersey—

Sir, In conformity with the fourteenth section of the Act entitled, An act to incorporate the Farmer's and Mechanic's Bank of Rahway, passed February seventh, one thousand eight hundred and twenty-eight, the President and Cashier have forwarded to the Treasurer, the enclosed statement of the concerns of the institution, within the time prescribed by said act, which you will have the goodness to lay before the Legislature.

I am very respectfully your obedient servant.

CHARLES PARKER, *Treasurer.*

New Jersey Treasury Office,
Trenton, January 7, 1829.

"The President and Cashier of the Farmers and Mechanics' Bank of Rahway, New Jersey, in conformity with the fourteenth section of its charter, present to the Treasurer of the State, to be laid before the Honorable, the Legislature, the following statement of its concerns, viz :

That the capital stock of the said company, was all subscribed for by eighty-one individuals, on the first, second, and third days of April last, and that three instalments of five dollars on each share, amounting to thirty thousand dollars, have been called for, and paid in, which sum has been employed in discounting bills of exchange, and promissory notes, since the twenty-third of June last, on which day the directors commenced discounting

The following statement, made on the tenth instant, will exhibit the debts and credits of the institution on that day.

*Statement of the Farmers and Mechanics' Bank of Rahway,
November 10, 1828.*

In bills discounted,	40,134 10	To the credit of capital	
Foreign bank notes,	1,356 93	stock,	30,000 00
Specie,	2,182 27	Discount received since	
Office notes,	5,064 00	23d of June last,	1,073 91
Deposited in Merchants'		The credit of individ-	
Bank New York, and		uals,	7,982 41
in other banks,	15,700 71	Office notes on	
To debt of contingent		hand,	5,064
expenses from 23d		do. in circu-	
June last,	1,118 31	lation,	21,436-26,500 00
	<hr/>		<hr/>
	\$65,556 32		\$65,556 32

All which is respectfully submitted.
Rahway, Nov. 11th, 1828.

WILLIAM EDGAR, *President.*
F. KING, *Cashier.*"

Which report was read, and ordered to lie on the table.

Mr. Townsend, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to divorce Amelia Garretson, from her husband, Joseph Garretson.

Which bill was read, and ordered a second reading.

The bill entitled, An act respecting the time of holding certain courts in the county of Sussex,

Was read a second time, and postponed.

The House adjourned to three o'clock in the afternoon.

Three o'clock the House met.

Mr. Carson presented the petition of a number of the inhabitants of the county of Middlesex, praying for a law to authorise the marking out, and designating, the channel of the Raritan river.

Which petition was read, and committed to Messrs. Carson, Voorhees, and J. Foster.

Mr. Nevius presented the petition of a number of the inhabitants of this State, praying for a law to prevent the running of steam boats, and canal boats, on the Sabbath day.

Which petition was read, and committed to Messrs. Nevius, Hancock, and N. Foster.

Mr. Hopper, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to divorce George Kanouse, from his wife, Abigail Kanouse.

Which bill was read, and ordered a second reading.

The bill entitled, A supplement to an act entitled, An act to incorporate the Columbian Steam Boat Company, passed the twelfth day of February, in the year of our Lord, one thousand eight hundred and twenty-eight,

Was read a second time, and postponed.

The bill entitled, An act authorising the commissioners therein named, to divide the real estate, which was of John Hewlings, late of the county of Burlington, at the time of his death, into two equal parts,

Was read a second time, gone through with by section, and ordered to be engrossed.

The engrossed bill entitled, An act to divorce Lydia Kirby, from her husband, Jonathan Kirby,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs.	Annin,	Messrs.	Hillard,
	Booraem,		Hopper,
	Carson,		Howell,
	Clifford,		Jackson,
	Coles,		Lloyd,
	Eayre,		Porter,
	Ellis,		Robbins,
	Emley,		Seeley,
	Estell,		Shinn,
	Evans,		Smith,
	Ewing, (Speaker.)		Snowhill,
	J. Foster,		Stratton,
	N. Foster,		Townsend,
	Godwin,		Voorhees,

NAYS,

Messrs. Black,
Hancock,
Monroe,
Stites,
Vleit,
Walling,

Messrs. Nevius,
Pennington,
Potts,
Westervelt,
Wurts,
Zabriskie,—12.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The bill entitled, An act to incorporate the Pleasant Mills Manufacturing Company, in Gloucester county, New Jersey,

Was read a second time, gone through with by section, and postponed.

The House adjourned to ten o'clock to-morrow morning.



FRIDAY, January 9, 1829.

Ten o'clock the House met.

Mr. Carson presented the petition of a number of the inhabitants of the county of Middlesex, praying a law, to authorize the removal of obstructions from the channel of South river.

Which petition was read, and committed to Messrs. Carson, Potts, and Walling.

Mr. Pennington presented the petitions of sundry inhabitants of Essex county, praying for a law to authorize the enclosure of certain woodland, on the Passaic river, in Caldwell township, called the "Hetfield swamp."

Which petition was read, and committed to Messrs. Pennington, Townsend, and Stratton.

Mr. Eayre presented the petition of sundry inhabitants of Burlington county, in favour of a system of common schools.

Which was referred to the committee on that subject.

Mr. Robbins presented the petition of the members of the Brigade Board of Warren county, praying to be supplied with printed copies of the militia laws of this State.

Which petition was read, and referred to the military committee.

Mr. Zabriskie presented the petition of owners of a tract of enclosed woodland, in Saddle River township, Bergen county, praying authority by law, to contract their boundaries on one side, to the line of the Hackensack and Paterson turnpike.

Which petition was read, and committed to Messrs. Zabriskie, Jackson, and Seeley.

Mr. Stratton, of Gloucester, and Mr. Seeley, of Cumberland, severally presented the abstracts of rateables of their respective counties.

Which were ordered to lie on the table.

The engrossed bill entitled, An act authorizing the commissioners therein named, to divide the real estate, which was of John Hewlings, late of the county of Burlington, at the time of his death, into two equal parts,

Was read a third time, and compared.

On the question, shall this bill pass.

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The bill entitled, An act to incorporate the New Jersey Interest and Savings Bank,

Was called up, and committed to Messrs. Zabriskie, Godwin, and Carson.

The bill entitled, An act to prevent trespasses on the salt meadows, in the township of Newark,

Was called up, and committed to Messrs. Pennington, Smith, and Lloyd.

The bill entitled, An act to incorporate the Pleasant Mills Manufacturing company, of Gloucester county, New Jersey,

Was called up, and ordered to be engrossed.

The bill entitled, An act to divorce Amelia Garretson from her husband, Joseph Garretson,

Was read a second time with the accompanying documents, considered by section, and ordered to be engrossed.

The bill entitled, An act to divorce Abraham Goltry, of the county of Somerset, from his wife, Sarah,

Was read a second time with the accompanying documents, considered by section, and ordered to be engrossed.

The bill entitled, An act to divorce Eliza M. Holden from her husband, Peter Holden,

Was read a second time, the first section disagreed to, and the bill dismissed.

The bill entitled, An act to abolish imprisonment for debt in certain cases,

Was read a second time, the first section disagreed to, and the bill dismissed.

The House adjourned to three o'clock in the afternoon.

Three o'clock the House met.

Mr. Vleit presented a petition from a number of the inhabitants of Warren county, for an appropriation of money by the state, to complete a road across the Blue mountain at the Water Gap.

Which petition was referred to the committee on that subject.

The bill entitled, An act to divorce George Kanouse from his wife, Abigail Kanouse,

Was read a second time with the accompanying documents, considered by section, the title so amended as to read, An act to divorce George Kanouse from his wife, Abigail Kanouse, late Abigail Haithorn, and thus amended, was ordered to be engrossed.

The engrossed bill entitled, An act to incorporate the Pleasant Mills Manufacturing Company, in Gloucester county, New Jersey,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Annin,
Black,
Booraem,
Carson,
Clifford,
Coles,
Eayre,
Ellis,
Emley,
Estell,
Evans,
Ewing, (Speaker,)
J. Foster,
N. Foster,
Hillard,
Hopper,
Howell,
Jackson,
Lloyd,

Messrs. Merkel,
Monroe,
Pennington,
Porter,
Robbins,
Seeley,
Shinn,
Smith,
Snowhill,
Stites,
Stratton,
Townsend,
Vleit,
Voorhees,
Walling,
West,
Westervelt,
Wurts,
Zabriskie--38.

NAY,

Mr. Hancock,

Ordered, That the Speaker sign the same.

The engrossed bill entitled, An act to divorce Amelia Garretson from her husband, Joseph Garretson,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Annin,
Booraem,
Carson,
Clifford,
Coles,
Eayre,
Ellis,
Emley,
Estell,
Ewing, (Speaker,)
J. Foster,
N. Foster,
Hancock,
Hillard,
Hopper,

Messrs. Jackson,
Lloyd,
Merkel,
Monroe,
Porter,
Robbins,
Seeley,
Shinn,
Smith,
Snowhill,
Stratton,
Townsend,
Voorhees,
Walling,
West,—30.

NAYS,

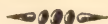
Messrs. Black,
Howell,
Pennington,
Stites,

Messrs. Vleit,
Westervelt,
Wurts,
Zabris kie—S.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to ten o'clock on Monday morning.



MONDAY, January 12, 1829.

Ten o'clock the House met.

Mr. Westervelt presented the petition of a number of the inhabitants of the township and county of Bergen, praying for a law to give mechanics and others a lien on buildings that they shall erect, until their claims are satisfied.

Which petition was read, and committed to Messrs. Westervelt, Hillard, and Stratton.

Mr. Nevius presented the petition of David Mercereau, of Middlesex county, praying compensation for services rendered, in surveying certain oyster grounds in the bay of Amboy.

Which petition was read, and committed to Messrs. Nevius, Stites, and Black.

Mr. Zabriskie, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, A supplement to the act entitled, An act authorizing the enclosure of a certain tract of woodland, situate in the township of Saddle River, in the county of Bergen, passed February seventh, one thousand eight hundred and fifteen.

Which bill was read, and ordered a second reading.

Mr. Hopper, from the committee to whom was referred the petition on that subject.

Reported a bill entitled, An act to divorce Samuel C. Halsted, from his wife Emeline Halsted.

Which bill was read, and ordered a second reading.

Mr. Pennington, from the committee to whom was referred the petitions on that subject,

Reported a bill entitled, An act to extend the time of the charter of the State Banks, at Camden, New Brunswick, Elizabeth, Newark, and Morris.

Which bill was read, and ordered a second reading.

Mr. Pennington, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to divorce Laurretta Bagg from her husband, Thomas Bagg, jun.

Which bill was read, and ordered a second reading.

The engrossed bill entitled, An act to divorce George Kanouse from his wife, Abigail Kanouse, late Abigail Haithorn,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows :

YEAS,

Messrs. Annin,
Clifford,
Ellis,
Estell,
Evans,
N. Foster,

Messrs. Hopper,
Lloyd,
Shinn,
Townsend,
Voorhees,
Walling.

West—13.

NAYS,

Messrs. Black,
Coles,
Emley,
Ewing, (Speaker.)
Farlee,
J. Foster,
Hillard,
Howell,
Jackson,
Nevius,
Pennington.

Messrs. Porter,
Potts,
Robbins,
Seeley,
Smith.
Snowhill,
Stratton,
Vleit,
Westervelt,
Wurts,
Zabriskie—22.

The engrossed bill entitled, An act to divorce Abraham Goltry, of the county of Somerset, from his wife Sarah,
 Was read a third time, and compared.
 On the question, shall this bill pass?
 It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
 Clifford,
 Coles,
 Ellis,
 Emley,
 Estell,
 Evans,
 Ewing, (Speaker.)
 Farlee,
 J. Foster,
 N. Foster,
 Hopper,
 Jackson,

Messrs. Lloyd,
 Porter,
 Robbins,
 Seeley,
 Shinn,
 Smith,
 Stites,
 Stratton,
 Townsend,
 Voorhees,
 Walling,
 West,
 Westervelt—26.

NAYS,

Messrs. Black,
 Hillard,
 Howell,
 Nevius,
 Pennington,

Messrs. Potts,
 Snowhill,
 Vleit,
 Wurts,
 Zabriskie—10.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

A message from Council, by Mr. Hamilton, their Secretary, *pro tempore*, informed the House, that the Council have passed the bill from the House, entitled, An act to divorce Lydia Kirby from her husband, Jonathan Kirby ;

The bill entitled, An act to incorporate the Pleasant Mills Manufacturing Company, in Gloucester county, New Jersey ; and

The bill entitled, An act authorizing the commissioners therein named, to divide the real estate, which was of John Hewlings, late of the county of Burlington, at the time of his death, into two equal parts ; respectively,

Without amendment.

The bill entitled, An act for the relief of persons in actual confinement for debt,

Was read a second time, gone through with by section, and postponed.

The House adjourned to three o'clock in the afternoon.

Three o'clock the House met.

Mr. Black presented the memorial of Joshua R. Smith and others, heirs at law of Mary D. Smith, lately of Burlington county, deceased, praying for a law to authorize the executors of said decedent, to sell lands of the said deceased.

Which petition was read, and committed to Messrs. Black, Seeley, and Potts.

Mr. Stratton, from the committee appointed to enquire what alterations are necessary in the act relative to jurors,

Reported, That in the opinion of the committee, the evils complained of, as practiced under the law, arise from misconstructions of its provisions, and therefore, pray to be discharged from further consideration of the subject.

Which report was read, and agreed to.

Mr. Pennington, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act authorizing the enclosure of a certain tract of land, situate in the township of Caldwell, in the county of Essex, called the "Hetfield swamp."

Which bill was read, and ordered a second reading.

Mr. Coles, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to authorize Nathan Vail, and Randolph Dunham, administrators of the will annexed, of Isaac Clark, deceased, to sell and convey the real estate of said deceased.

Which bill was read, and ordered a second reading.

The House resumed the consideration of the bill entitled, An act for the relief of persons in actual confinement for debt.

Which was ordered to be engrossed.

The House resumed the consideration of the bill entitled, A supplement to an act entitled, An act to incorporate the Columbian Steam Boat Company, passed the twelfth day of February, A. D. one thousand eight hundred and twenty-eight.

Which after some time spent therein, was again postponed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled, An act to divorce Amelia Garretson from her husband, Joseph Garretson,

Without amendment.

The House adjourned to ten o'clock to-morrow morning.

TUESDAY, January 13, 1829.

Ten o'clock the House met.

Mr. Black, from the committee to whom was referred No. 27. of unfinished business, an additional supplement to the act entitled, An act concerning roads, passed the ninth day of February, A. D. one thousand eight hundred and twenty-eight,

Reported, That the committee have examined the said act, and the several supplements thereto, and deem it inexpedient to make any alterations therein, and therefore request to be discharged from the further consideration of the subject.

Which report was read, and agreed to.

The House resumed the consideration of the bill entitled, A supplement to an act entitled, An act to incorporate the Columbian Steam Boat Company, passed the twelfth day of February, in the year of our Lord, one thousand eight hundred and twenty-eight.

Which was considered by section, and ordered to be engrossed.

The bill entitled, A supplement to the act entitled, An act authorizing the enclosure of a certain tract of woodland, situate in the township of Saddle River, in the county of Bergen, passed the seventh day of February, in the year of our Lord, one thousand eight hundred and fifteen,

Was read a second time, considered by section, and ordered to be engrossed.

The bill entitled, An act to divorce Lauretta Bagg from her husband, Thomas Bagg, jun.

Was read a second time with the accompanying documents, considered by section, and ordered to be engrossed.

The bill entitled, An act to divorce Samuel C. Halsted from his wife, Emeline Halsted,

Was read a second time with the accompanying documents, considered by section, and ordered to be engrossed.

Mr. Wurts submitted the following resolution :

Resolved, That a committee be appointed to enquire, what alterations or amendment, if any, is necessary in the act concerning sheriffs, and that they have leave to report by bill or otherwise.

Which resolution was read, agreed to, and Messrs. Wurts, Porter, and Snowhill, accordingly appointed.

Mr. Black, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act authorizing Joshua R. Smith, and George R. Smith, executors of the last will and testament of Mary D. Smith, late of the city of Burlington, deceased, and the survivor of them, to sell and convey two certain lots of ground, and

to divide the proceeds thereof, among the legal heirs of the said Mary D. Smith's real estate.

Which bill was read, and ordered a second reading.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Carson presented a remonstrance from inhabitants of Middlesex county, against the removal of alleged obstructions in South river, by means of the permanent bridge across the same.

Which remonstrance was read, and referred to the committee on that subject.

Mr. Ellis presented a petition from inhabitants of Monmouth county, in favor of a rail road, from Camden to the bay of Amboy.

Which petition was referred to the committee on that subject.

Mr. Westervelt presented the petition of the inhabitants of Jersey City, praying an alteration in their charter.

Which petition was read, and committed to Messrs. Westervelt, Wurts, and Stites.

Mr. Monroe presented a petition from inhabitants of Morris county, praying that bonds and notes may be taxed.

Which petition was read, and ordered to lie on the table.

Mr. Clifford presented a remonstrance from inhabitants of Hunterdon, against the Delaware and Raritan canal.

Which remonstrance was read, and referred to the committee on that subject.

Mr. Westervelt, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to give mechanics and others, a lien upon buildings erected by them, until their claims are satisfied.

Which bill was read, ordered a second reading, and to be printed.

Mr. Stites, from the committee on that subject,

Reported a bill entitled, An act directing the mode of proceeding in cases of violent, sudden, or casual deaths.

Which bill was read, ordered a second reading, and to be printed.

The engrossed bill entitled, An act to divorce Samuel C. Halsted from his wife, Emeline Halsted.

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Annin,
Carson,
Clifford.

Messrs. Coles,
Fayre,
Ellis.

YEAS,

Messrs. Emley,
 Estell,
 Evans,
 Ewing, (Speaker.)
 J. Foster,
 N. Foster,
 Hancock,
 Hillard,
 Hopper,
 Howell,
 Jackson,
 Lloyd,
 Merkel,
 Monroe,

Messrs. Pennington,
 Porter,
 Robbins,
 Seeley,
 Shinn,
 Smith,
 Snowhill,
 Stites,
 Townsend,
 Vleit,
 Voorhees,
 Walling,
 West,
 Westervelt,

Zabriskie—35.

NAYS,

Messrs. Black,
 Godwin,

Messrs. Potts,
 Stratton,

Wurts—5.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, An act to divorce Laurretta Bagg from her husband, Thomas Bagg, jun.

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Annin,
 Black,
 Clifford,
 Ellis,
 Emley,
 Estell,
 Evans,
 J. Foster,
 N. Foster,
 Godwin,
 Hillard,
 Hopper

Messrs. Howell,
 Lloyd,
 Merkel,
 Pennington,
 Potts,
 Robbins,
 Seeley,
 Shinn,
 Stites,
 Townsend,
 Voorhees,
 West,

Westervelt—25.

NAYS,

Messrs. Coles,
 Fayre,
 Ewing, (Speaker.)
 Hancock,
 Jackson,
 Monroe,
 Porter,

Messrs. Smith,
 Snowhill,
 Stratton,
 Vleit,
 Walling,
 Wurts,
 Zabriskie—14.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, An act for the relief of persons in actual confinement for debt,

Was read a third time and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Clifford,
Coles,
Eayre,
Ellis,
Evans,
Ewing, (Speaker.)
J. Foster,
Godwin,
Hancock,
Hillard,
Howell,

Messrs. Jackson,
Lloyd,
Merkel,
Monro,
Pennington,
Potts,
Robbins,
Shinn,
Stites,
Vleit,
Voorhees,
Westervelt,

Wurts—25.

NAYS,

Messrs. Black,
Emley,
Estell,
N. Foster,
Hopper,
Porter,
Seeley,

Messrs. Smith,
Snowhill,
Stratton,
Townsend,
Walling,
West,
Zabriskie—14.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, A supplement to the act entitled, An act authorising the enclosure of a certain tract of woodland, situate in the township of Saddle River, in the county of Bergen, passed February the seventh, one thousand eight hundred and fifteen,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to ten o'clock to-morrow morning.

WEDNESDAY, January 14, 1829.

Ten o'clock the House met.

Mr. Townsend presented a petition from sundry inhabitants of Cape May county, praying for a law to vest the estates of habitual drunkards in trustees, to be appointed for that purpose.

Which petition was read, and committed to Messrs. Townsend, Hancock, and Zabriskie.

Mr. Seeley, from Cumberland, and Mr. Stratton, and Mr. Porter, from Gloucester, severally presented petitions from inhabitants of their respective counties on the same subject.

Which were referred to the same committee.

Mr. Nevius presented the petition of a number of the inhabitants of Somerset county, praying an alteration of the law relative to the costs on criminal prosecutions.

Which petition was read, and referred to the committee previously appointed on the subject.

Mr. Pennington presented a petition from a number of inhabitants of Newark, Essex county, praying that grocers may be licensed to sell liquor, by less measure than a quart, upon payment of tax.

Which petition was read, and committed to Messrs. Pennington, Wurts, and Voorhees.

Mr. Wurts presented the petition of John S. Wyckoff, and wife, and of John S. Wyckoff, guardian of Penelope Wyckoff, and legatees of Cornelius Wyckoff, late of Readington, Hunterdon county, deceased, praying a law to carry into effect the intention of the testator.

Which petition was read, and committed to Messrs. Wurts, Pennington, and Seeley.

Mr. Hillard presented the petition of George P. Woolsey, and of a number of the inhabitants of Morris county, praying that the said George P. Woolsey, now confined in the common jail of Morris county, on a charge of bastardy, may be discharged from confinement.

Which petition was read, and committed to Messrs. Hillard, Annin, and Evans.

Mr. Godwin presented the memorial of William Gibbons, remonstrating against the passage of the supplement to the act, incorporating the Columbian Steam Boat Company.

Which memorial was read, and ordered to lie on the table.

Mr. Carson presented the petition of Joseph McChesney, of Middlesex county, praying compensation for services rendered in the survey of certain oyster lots, in the bay of Amboy.

Which petition was read, and committed to Messrs. Carson, Black, and Foster.

Mr. Lloyd of Monmouth, and Mr. Merkel, of Sussex, severally presented petitions of inhabitants of their respective counties, in favour of a system of common school education.

Which were ordered to lie on the table.

Mr. Carson, from the committee to whom was referred No. 19. of unfinished business, a bill entitled, An act to regulate the sale of wine, and ardent spirits,

Reported the same, without amendment.

Which, on motion, was dismissed.

Mr. Smith, from the committee to whom was referred No. 9. of unfinished business, a bill entitled, A supplement to the act entitled, An act to enable the owners of the tide swamps, and marshes, to improve the same, and the owners of the meadows already banked in, and held by different persons, to keep the same in good repair, passed the twenty-ninth of November, in the year of our Lord one thousand seven hundred and eighty-eight,

Reported the same, with amendments.

Which, together with the bill, were ordered to lie on the table, and to be printed.

Mr. Nevius, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, A further supplement to the act entitled, An act for suppressing vice and immorality, passed the fifteenth day March, one thousand seven hundred and ninety-eight.

Which bill was read, ordered a second reading, and to be printed.

Mr. Hancock, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act for the preservation of muskrat fur.

Which bill was read, ordered a second reading, and to be printed.

Mr. Robbins, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to assist the inhabitants of the townships of Pahaquarry and Knowlton, in the county of Warren, to complete that part of a public highway in said townships, which crosses the Blue mountain at the Water Gap.

Which bill was read, ordered a second reading, and to be printed.

Mr. Nevius, from the joint committee of Council and Assembly, to whom were referred the various petitions and memorials addressed to the Legislature on the subject of common schools,

Reported, That they have devoted as much time to the investigation of this subject, as was consistent with other engagements, and beg the indulgence of the House, in offering for their consideration, those reflections which have occurred to their minds, and that information which they have acquired in the course of such investigation, under the following heads :

First. The importance of a well regulated system of common school education.

Second. The expediency of legislative provision at this time, towards the establishment of such system.

Third. Some suggestions relative to the plan most expedient to be adopted.

First. The importance of a well regulated system of common school education.

In a government like ours, founded upon a just estimate of the natural rights of man, controlled by equal laws, and depending upon the virtue, intelligence, and patriotism of its citizens, education becomes a matter of the most vital importance. The diffusion of knowledge among all classes of citizens, has a direct tendency to promote equality, virtue, and patriotism; the three distinguishing principles or characteristics of republican institutions, the absence of which, is necessarily destructive of that order, essential to their preservation. The great charter of our liberties, asserts as a self-evident proposition, that all men are born free and equal; but that equality can only exist during the earliest periods of infancy, and to a very limited extent, if the advantages of common education are not afforded to all classes of citizens. If a few only, enjoy the privileges of education, that equality must be confined to an equal right, to the protection which the laws of society afford, for the superior advantages which some enjoy, give them superior claims, arising from acquired merit, to those important, responsible, and lucrative appointments, which the people have to bestow. Wealth, and family, and rank, are distinctions not recognised by our institutions and laws, and totally inconsistent with the free spirit of republicanism, and tending to aristocracy; while virtue and intelligence are distinctions founded in reason, sanctioned by the spirit of free institutions, and again in their turn, promoting and supporting such institutions. To promote equality in these, should be the object of a government like ours, whose being and very existence, depend upon their encouragement. It is education which tends to create that equality, to promote the cause of virtue, to destroy the invidious distinction of wealth and family; gives to men not only equal claims, but equal capacity, for the enjoyment of all the benefits of our land.

By education, your committee do not mean that extensive research in the sciences, which requires an abstraction from all other pursuits, and a life of toil and labor to attain to any degree of eminence, but that education which is confined to the first elements of book knowledge; and this, if properly regulated, is calculated to raise the character, and augment the resources, and increase the power of the State, and advance the social order and happiness of people. We mean that education, which may tend to elicit the talent, develop the mental and moral faculties of our youth, inspire them with a passion for knowledge; and in fine, teaches them sufficient to enable them afterwards to teach themselves. A system of common and mutual instruction, afforded in free primary schools, your committee deem highly conducive towards the establishment of that equality of which they speak. They believe that the estab-

lishment of such schools, in each district or neighbourhood, where the children of all classes of our citizens are brought upon the level with each other, and when a proper course of instruction and discipline is kept up, is calculated to eradicate from their minds, all evil and improper impulsions, imbibed in their earliest education at home. Those rewards which should and may be judiciously distributed to the meritorious and deserving, and those punishments which, in such schools should, and may be inflicted upon those of a contrary character, cannot but excite a due regard for justice and merit, and an honest aversion to vice and folly. As early impressions are, in general, the strongest, those received from a well conducted education at home, and in primary schools, will not easily be removed by a promiscuous intercourse with the world, but must grow stronger, as we advance in life. The double end therefore, of regulating the passions and principles, eliciting the talents, and improving the understanding of youth, inspiring a love of social order and equal rights, may, and can be effected, by distributing the advantages of common school education in the State. Another important consequence too, must result from a well regulated system of common school instruction; it will produce in the minds of our youth, a proper and just estimate of their privileges as citizens, and an ardent attachment to their country. The stability of our government depends not more upon the virtue and intelligence, than upon the patriotism, of the people. Man is by nature, a restive and dissatisfied being, seldom content with the lot which Providence has dispensed to him, and only learn to appreciate his privileges, by observing the deprivations others are doomed to endure. He judges of things mostly by comparison, and estimates his own blessings, by comparing them with those of others. He values his own government, in proportion to the prosperity and happiness it secures to its citizens, compared with what others afford. Upon this principle, which is not only general, but universal in its operation; how is an American to appreciate his blessings, unless he has a knowledge of a people and a government where they are not enjoyed. And how, we may fairly ask, is this knowledge to be generally diffused, unless the benefits of education are generally dispensed? Without instruction sufficient to enable him to read, he can form no correct idea of the distinctive character of his government, its nature, its history, its constitution, its laws, its peculiar advantages. He cannot ascertain his own rights, his obligations, his duties, or if he do, he is ignorant how they are to be obtained, executed, or discharged. He may learn that all power here is vested in, or derived from, the people, but for the want of proper instruction, perhaps, from the want of correct principle, he knows not how it should be exercised, for the welfare of the public. From the notions of liberty and equality, he fancies that as all men, under a free government, are born free and equal they have equal claims, regardless of qualifications, to offices of trust, power, and responsibility, and by this means may bring upon his country and himself, those evils which must eventually destroy all patriotic feeling.

By a proper attention to common school education, these evils may, in the opinion of your committee, be avoided, and the primary interests of our institutions secured.

We therefore enquire,

Secondly. Into the expediency of legislative aid, in the promotion of this great object.

Under this head, it may be proper to advert to the present state of education in New Jersey, and to shew that we are in a far more destitute situation, than half a century of freedom could be supposed to have left us; your committee beg leave to refer the House, to a report of a committee, appointed to investigate this subject, accompanying this report, and marked A. From this the lamentable truth appears, that nearly fifteen thousand persons, over the age of fifteen years, remain in total ignorance, unable either to read or write. At the lowest calculations therefore, five thousand persons are called upon, to exercise the inestimable rights of suffrage, without either understanding its import, or weighing its importance. We learn too, from this report, that nearly twelve thousand children, under the age of fifteen years, are deprived of the means of obtaining even the first rudiments of an education. This deplorable state of education, your committee think, calls loudly for the benevolent aid of the Legislature, in establishing common schools. — Although, as is the case in some other states, our constitution has not enjoined our Legislature to make provisions for the education of the people, yet the propriety of such provisions has already been frequently acknowledged by successive legislative bodies, and the appropriations which they have made, to erect a fund, for the support of schools, have been liberal and wise. The present School Fund of this State, created since the year one thousand eight hundred and seventeen, amounts to the sum of two hundred and twenty-two thousand, four hundred and forty-two dollars seventy eight cents, the annual proceeds of which, together with certain other annual appropriations, will yield a revenue of about twenty-three thousand dollars.

Your committee are of opinion, that the time has arrived when it is expedient to give to this fund its practical operations, to realize the benefits which it was intended to yield, and to dispense its bounties in a way, which may at once satisfy the wants of the people and stimulate them to further exertion. When we view this subject in all its beneficial results upon individuals, and upon society; when we see the glorious effects, which have succeeded the noble efforts of some of our sister states to improve by education, the virtue and intelligence, and increase the patriotism, of the people; when we observe, that even the monarchical governments of Europe, are making advancements in improving the moral and intellectual condition of their subjects, by the establishment of common schools, we think that New Jersey should no longer hesitate to follow the example.

From the very numerous and respectable petitions from almost every section of the State, which have been presented to the Legis-

lature, and from the representation given of the public sentiment on this subject, by the school committee of almost every township, your committee fully believe, that the public mind is not only prepared for the adoption of a school system, but is anxious that the same should be carried into immediate effect.

This brings us to the third point which your committee proposed, viz: Some suggestions relative to the plan most expedient to be adopted.

In suggesting their general view on this point, they beg leave to lay before the House, a brief sketch of the various plans adopted, and their effect, so far as they have been ascertained. The constitutions of some of the states have made a proper attention to the subject of education, incumbent upon the legislative branch of their respective governments, and perhaps that circumstance has operated to produce an earlier effort on their part, than would otherwise have been made. The constitution of our own State, contains no such provision, nor do your committee find any legislative enactment upon the subject, recognising its importance, until the year one thousand seven hundred and ninety-eight, when provision was made, to a partial extent, for the education of slaves.

The system of common school education adopted in the state of Maine, where they have no school fund, imposes upon every town, the duty of levying a tax, amounting to a sum not less than forty cents for each inhabitant, the number to be computed according to the next preceding census of the state. The amount of money raised under this system, must therefore, be equal to two fifths of the population of that state. This money is expended under the superintendence of a school committee, chosen by ballot, at their respective town meetings, and consisting from three to seven persons. For a particular detail of this system, your committee refer the House, to the several acts of the legislature of that state, a copy of which accompanies this report. In this system, the people of that state have been, for upwards of seven years, proving conclusively, that it is there esteemed salutary in its operation.

The state of New Hampshire, like the former, has no school fund but the existence of laws, compelling the inhabitants to support schools, for the education of children, is said to be almost coeval with the establishment of their government. To maintain these schools, the sum of ninety thousand dollars is annually raised, by a tax upon the inhabitants, assessed and levied in the same manner as their state and county taxes are assessed, and divided among their several townships, in proportion to the amount which they have respectively paid towards it. Their townships are divided into convenient school districts, the inhabitants of which are respectively required to provide a suitable school house, and by a vote of a majority, to assess and collect a tax, in proportion to their other taxes, to defray the expence of such house. Each township, at their annual town meetings, elect a committee, to superintend and examine the schools, established in their respective townships. This

system has been in operation since the year one thousand eight hundred and five, and at this day, there is scarcely a single native citizen of that state, under the age of forty years, who cannot read and write his native language, and to use the expressions of an eminent citizen of that state, "it has elevated the character of the population of that state, in point of intelligence, and correct moral habits."

The state of Vermont, has at present, no available fund, yet considerable encouragement has been afforded to the promotion of common schools. By laws which have been in operation for several years, each township has power to divide itself into school districts, and tax itself for the support of schools, and each district has also, the power of taxing itself, and in addition to this, the select men, or town officers, of each town, are compelled to levy, and collect a tax of three cents on the dollar, of the grand list of the town; which, during the last year, amounted to the sum of fifty thousand dollars. This sum is divided among the several school districts, in each town, in proportion to the number of scholars, between the ages of four and eighteen years, and each district must support its own school, for a certain part of the year, in order to entitle it to participate in this fund. Although the system of common schools, in this state, is thought still to be very defective, and efforts have been made, and are now making, to improve it, yet its benefits are visible in the moral and intellectual character of its people.

The state of Rhode Island has not kept pace with its sister states of New England, in this grand cause of developing native intellect, and extending the advantages of a common school education. Until the last winter, its attempts to establish common schools, had proved abortive, but at that time their legislature made an appropriation of about ten thousand dollars to this object, and also commenced the erection of a permanent fund, to which about five thousand dollars per annum, will be added.

By the provisions of this late law, this sum of ten thousand dollars, is to be distributed among the several towns, in proportions to their respective population, and the town authorised to levy a tax, not exceeding twice the amount of their distributive share of the bounty of the state, and to appoint a school committee, to receive and pay out the money apportioned to them, respectively. What effect these provisions may have, and how they are received by the inhabitants of that state, remains yet to be determined.

The state of Connecticut, from its earliest attempts to promote the cause of education, has secured to itself advantages beyond every other state, so far as a permanent fund may be considered advantageous.

This state has at present, a fund amounting to upwards of one million seven hundred thousand dollars, which would have amounted to near double that sum at this time, had it not been impaired by losses which it has sustained in its various evolutions and changes. About seventy thousand dollars are annually distributed for the support of schools. This fund is managed by a single com-

missioner, who pays to the treasurer of the state, the annual nett proceeds, who again transmits to the several school societies or districts, their distributive share, which is proportioned to the number of children in such district, between the ages of four and sixteen years. The money so distributed, is appropriated wholly to the payment of teachers duly qualified, and no other tax levied upon the people for that purpose. The several school districts, however, are vested with power to levy a tax for the erection of school houses, and providing them with necessary furniture and fuel. The effect which this system has had upon the state of Connecticut, is too well known to need comment.

The state of New York has but recently embarked in this cause, but has thus far set an example worthy of imitation. This state distributes annually, about one hundred thousand dollars among the several towns and cities : the amount apportioned to the latter, is in proportion to their population, and to the former, in proportion to the number of children between the ages of five and sixteen years. This distribution is made to the several towns, on condition that each town is to raise a sum equivalent to the sum so received. And in order to economise the school monies of the town, each school district must levy a tax for the erection of a school house, and supplying it with necessary furniture, &c. Each town elects annually, its treasurer and three commissioners, and each district its trustees, the latter of whom, account by an annual report, for the expenditure of the monies. By this system, the one hundred thousand dollars dispensed by the state, is made the means of raising near three hundred thousand dollars more, all of which is appropriated to the use of common schools. This system, so far, has met with the cordial approbation of the citizens of that state.

Your committee deem it unnecessary to give any further sketch of what has been done in other states, believing that the systems which have been elsewhere adopted, apply themselves in a great measure to one or the other of those above mentioned. From the above abstract, it will be observed, that common schools are supported in some of the states, wholly by taxation, as in Vermont, New Hampshire, and Maine, in another, almost entirely by the public fund, as in Connecticut, and in others, by the combined operation of public bounty and taxation, as in New York, and Rhode Island.

In the investigations made by your committee upon this subject, they do not find that any state having advanced in this cause, have ever abandoned the project, from any opposition to it on the part of the people, thus proving that the cause of common school education, is the cause of the people. Your committee further believe, that that system which is supported in part by public bounty, and in part by taxation, is most consonant to sound policy, and best adapted to effect the object sought.

They therefore recommend to the House, the adoption of the following resolutions :

First. That it is expedient for the Legislature at this session, to adopt a system for the establishment of common schools.

Second. That a committee be appointed, with instructions to prepare, and report a bill for that purpose.

All which is respectfully submitted.

January 14th, 1829.

By order of the committee.

Which report was read, and ordered to lie on the table.

Mr. Smith submitted the following resolution:

Resolved, That the military committee be requested to enquire, into the expediency of making such alterations in the act entitled, An act respecting the public arms, passed the twenty-eighth day of one thousand eight hundred and twenty-four, as to limit the distribution of the said arms, to uniform companies, and independent battalions.

Which resolution was read, and agreed to.

The bill entitled, An act to extend the time of the charter of the State Banks, at Camden, New Brunswick, Elizabeth, Newark, and Morris,

Was read a second time, and postponed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Carson presented the petition of Elizabeth Steel, of Middlesex county, praying to be divorced from her husband, John Steel.

Which petition was read, and committed to Messrs. Carson, Merkel, and Ellis.

Mr. Stites presented the petition of Susan Ann Baldwin, of Essex county, praying to be divorced from her husband, Abraham Baldwin.

Which petition was read, and committed to Messrs. Stites, Hopper, and Hillard.

Mr. Hopper presented the petitions of the officers of the Bergen brigade, praying a supply of arms for the cavalry of said brigade.

Which petition was read, and referred to the military committee.

Mr. Jackson presented the memorial of the Morris Canal and Banking Company, praying a loan of credit from the State, for the purpose of raising five hundred thousand dollars, to complete said canal.

Which memorial was read, and committed to Messrs. Jackson, Pennington, and Stratton.

Mr. Lloyd presented the statement of the Monmouth Bank, embracing an expose of its affairs, together with a memorial of the President and Cashier of said bank, praying that their charter may not be repealed, and soliciting legislative assistance.

Which statement and memorial was read, and referred to Messrs. Lloyd, Godwin, and Nevins.

Mr. Stites, from the joint committee of Council and Assembly, appointed to view the Morris canal, and inclined planes, during the recess of the Legislature, and to report generally to the Legislature, such matters respecting the same, as might appear to them right and proper,

Reported, That shortly after the passage of the resolution, appointing them a committee, an arrangement was entered into, with the President of the Morris Canal Company, to meet at Jersey City, on Monday, the first day of December last, to enter upon the duties of their appointment. At the time and place appointed, they were met by a committee of the directors of the Morris Canal Company, and proceeded with them to view the location of the canal, through Jersey City, and the site for a basin of about five acres, which it is intended to form, at the termination of the canal, on the Hudson, directly opposite Courtland street, in the city of New York; where the river is some yards less than one mile wide, and immediately adjoining the Jersey ferry wharf.

From a position near Jersey City, the route of the canal was pointed out towards New York: there where about four miles in view at this time, that is, from the Hudson to the westerly side of Bergen ridge, at the remarkable gap or ravine, where the canal will cross the ridge, without either lock or plane, upon the same level that will extend from the Passaic to the Hudson. The excavation across the ridge, will not exceed an average depth of eighteen feet, and is about nine hundred yards in length; and it is believed little or no rock will be met with, and the digging will be easy. In the course of the ride towards Newark, the route of the canal was pointed out, from the western extremity of the ravine to the upland at Newark. This part of the route will cross the Hackensack and Passaic rivers. About three miles of the distance, from Jersey City to Newark, will be through the salt marsh, the residue upon the upland, upon the borders of the meadow. To avoid the necessity of cutting so deep into the marsh, so as to have four feet water in the canal, when the tide is out, it is proposed, by gates on the west side of the Hackensack, and at the Hudson, to shut in the water at high tide, which will furnish the canal with sufficient, for navigation, at all times of the tide. As it is ascertained that the substratum, at the depth of two or three feet from the surface, is a stiff clay, for that part of the canal, which is between the Hackensack and Passaic rivers, and favorable for canaling, it is intended to tow the canal boats across the Passaic and Hackensack rivers, by steam boats, or by team boats. These boats are contemplated to be in connexion with the company, which was incorporated by the Legislature of New Jersey last year, to establish a road and ferries, between Newark and New York, by the old ferries, and will answer the purpose of conveying passengers, and towing the canal boats; and the two companies can, at the same time, accommodate each other, by uniting, to make the bank of the canal both a towing

path and a road. The whole distance from Jersey City to Newark, by the canal, is eleven and three-quarters miles, only two miles and three-quarters further than the turnpike road. The estimated cost of completing it, is from eighty to a hundred thousand dollars, a sum for which if it can be effected, the committee unite in believing, it will be a useful and profitable concern.

From the Passaic, the canal ascends, by means of two locks, not yet commenced, to a level, passing through the town of Newark, to the highlands, immediately above the post office. The ground in the town is believed to be favorable for canalizing, requiring but easy earth excavations. The route was represented to us, as one that was acceptable to the inhabitants: and, for the purpose of accommodating them further, it is the design of the canal company, by depressing the level of the canal through the town, to render their embankments and bridges, in the street, as low as possible.

Above the town, is to be constructed an inclined plane, of seventy feet lift, to which nothing has yet been done. At the summit of this plane, the excavation of the canal commences; and the committee walked upon the bank, or towing path, a distance of five miles, to Bloomfield. The whole, except a few rods, is finished, in our judgment, in a substantial and workmanlike manner. Within the distance we examined, are one lock, and two culverts; one of the latter, at Randolph Mills, of very considerable dimensions. This appears to have been constructed with great care and skill, and of the most permanent materials. There is, likewise, an aqueduct, and two culverts, at Third River, in an unfinished state.

At Bloomfield, we examined the second inclined plane, in our progress, designed to surmount an elevation of fifty-two feet. It is under contract, to be finished by the first of April next, and a very considerable number of workmen, were at that time, employed upon it. The materials, as far as it was in our power to examine them, were of an excellent quality, and great care appeared to be bestowed in the construction of the work.

From the plane, at Bloomfield, the committee rode on the route of canal, having it almost the whole time in view, occasionally stopping to examine it, to within about a mile of Paterson. Here they quitted the carriage, and walked upon the towing path of the canal, to the place where it passes through the ridge of rocks, over which is the Great Falls of the Passaic. The site of the canal, at this place, is highly interesting. Still upon the same level which was assumed at the summit of the plane at Bloomfield, it is here elevated about half way up the mountain that bounds the valley of Paterson, and, to the inexperienced eye, would seem to interpose an insurmountable barrier, to the further progress of the canal. It is far above the tops of the highest trees, at the base of the ridge, and much higher than the houses and factories in the town of Paterson. The Great Falls are passed by a deep cut, averaging about sixteen feet, through a hard rock of blue trap, extending sixteen rods. This expensive and laborious part of the enterprise, may be said to be completed, and evidently requires but a few days additional labour, to render

it fit for navigation. The committee were informed, that this was, probably, the only piece of work on the canal which would exceed in cost, the original estimate.

The committee lodged at Paterson, on the night of the first instant, (Monday,) and on Tuesday morning, they walked on the bank of the canal from Paterson, to within a short distance of the great aqueduct, at the Little Falls of the Passaic. This is a work of great interest; it is a water bridge of a single arch, of eight feet span, and when completed, from the level of the water to the top of the superstructure, will be over fifty feet. It is built of the finest free stone, and appears to be constructed in the most substantial and durable manner; the work is spiritedly progressing, and from its advanced state, may evidently be finished in a short time.

From the Little Falls, the committee proceeded near the line of the canal to Mead's basin. Here they found two small boats ready to receive them, in one of which they were transported to the foot of the Montville planes, always on the canal, except that the boats were carried, and the committee walked around the unfinished Pompton plane. From the foot of the Montville plane, the committee walked a distance of about eight hundred yards, to the head of those planes, and there embarked on board of one of the boats which the company have built to be used on the canal. In this vessel they were carried up the inclined plane, and along the canal to the foot of the unfinished plane at Rockaway, and from the head of that plane, in another canal boat, to Dover. The whole of the canal which the committee navigated, is twenty miles, that is, from Mead's basin to Dover; near to Mead's basin, they passed in the boats over the Pompton river, upon a wooden aqueduct of two hundred and thirty-six feet in length, supported by nine stone piers. About a mile from the aqueduct, they passed through a stone lock, and it is well worthy of remark, that this lock is the termination of one uninterrupted level, extending from thence to the inclined plane at Bloomfield, a distance of seventeen miles. From Mead's basin to Dover, the canal was supplied with water from the great reservoir at the summit, the Hopatcong lake. The water of that lake, for the supply of the canal, is brought into the pond at Dover, and passes from the pond into the canal. It is in like manner conducted into, and taken out of, a pond at Powerville, and at Booneton Falls, there is a dam and feeder, by which, water from the Rockaway river may be taken into the canal. These are the only connexions that the canal has, (except that it must, of necessity, take in some inconsiderable runs,) with the Passaic, or any of its tributaries. The committee found, with the exception, perhaps, of a few hundred yards, the bottom of the canal, from Newark to Mead's basin, to a greater or less depth, covered with water; this was supplied by the small streams which occasionally fall into the canal. Several miles of this distance, might, no doubt, have been navigated by the smallest of the boats the committee had with them, and nothing prevents this whole space from being filled with water from the summit, but the state of the inclined planes, and the inter-

ruption of a few rods at one or two places. Nothing was more interesting and satisfactory, than the operation of the inclined plane at Booneton, by which an elevation of eighty feet in perpendicular height, was surmounted on a plane of eight hundred feet in length. The boat in which the committee passed over this plane, was sixty feet in length, and eight and a half feet in width, had in her eighteen tons of stone, and about one hundred passengers, and was carried over in fourteen minutes, while at the same time an empty car descended. Had the descending car contained a loaded boat the ascent would, no doubt, have been accomplished in a shorter time. The committee do not entertain the smallest doubt of the practicability of inclined planes thus applied, and of their superiority over locks, in overcoming great elevations. As respects economy in time, and a saving of water, their success will, we believe, exceed the most sanguine expectations of their advocates. The time assumed by the United States' engineers, in their report upon the Morris Canal, we observe, for passing a common lock of eight feet lift, is seven and a half minutes, to ascend a series of locks, eighty feet high, would require seventy-five minutes, to descend the same, seventy-five minutes, making one hundred and fifty minutes for the ascent and descent; whereas, upon the Booneton plane, a boat actually did ascend, in our presence, in fourteen minutes, and another might have descended at the same time, with equal, or greater facility. The work of both these planes appear to be very well and substantially done. The company is erecting two other planes, which may be called experimental planes, as each of them differs, in some measure, in its plan from the others; one is at Bloomfield, the other at Pompton. These four planes will all be completed early in the spring, so that the company may select that which, upon trial, shall prove to be the best, and make it their model for building their other planes; all of which may unquestionably be finished, in the course of the next season. A greater part of the mason work, of several of them, is done.

On Wednesday morning, (the third of December,) the committee proceeded from Dover to the lake, at the summit level, a distance of nine miles, always following the route of the canal, and, for a great part of the way, walking on its banks. They found the canal, the whole distance, supplied with water from the lake.— From Dover, to the foot of the inclined plane, at Drakeville, a distance of six miles, might have been navigated, with no other interruption, than the sites for two inclined planes, which are in that distance. From the first, or highest inclined plane, on the eastern division, to the first, or highest inclined plane, on the western division, a distance of three miles, including the feeder, the canal was full of water, and was in a perfect navigable state: within this distance, is the deep cut, by which the mountain has been penetrated, and a part of the waters of the Hopatcong lake, which naturally ran to the west, is turned for the eastern division of the canal.— This deep cut is one of the heaviest works on the canal, but has been executed, for several thousand dollars less than it was estima-

ted it would cost. From the summit level, a navigable cut is extended to the lake, which opens a navigation from the canal into the lake, which the committee were informed, is nine miles long, and affording water transportation to the inhabitants of the shores, which extend more than twenty-five miles.

The company have erected a dam across the outlet of the lake, by which the water is raised five feet above the top of a dam, which was there, previously to the commencement of the canal. This increases the surface of the lake to about three thousand acres.

The attention of the committee was, while they were on the spot, particularly directed to the waste gate, at the dam, and to the paddle-gates of the lift lock which leads to the lake: and, while the objects were before them, they received, in the presence of the chief engineer, the canal commissioner, and Mr. Randolph, who was charged with the care, and superintendence of this part of the work, the following information:

“One of the gates of the lock at the dam, became disarranged in the course of the last winter. It was desirable to draw off the waters of the lake some feet, and as low as to the old dam, to be able to repair the lock. To accomplish this, the waste-gate at the dam was hoisted early in June last, and was kept open (except when it was occasionally shut for a short time, to accommodate the forges and works below,) until after the repairs of the lock were completed. But it may be assumed, that the waste-gate was continually open, as long as from the first of July, to the first of October last. The gate was raised twenty-two inches: its horizontal length is three feet, and from the bottom of the gate, to the top of the dam, is ten feet. It was expected that this would draw off the water as much as was required; but, on the thirty-first July, it was found, that the lake was not perceptibly lowered. On that day, one of the valve, or paddle-gates of the lock was opened, and from that time, to the fifteenth of August, the water was continually discharged, both from the waste-gate, and one of the valve-gates, but the water in the lake, was not found to be reduced more than ten inches at the last mentioned date: the other paddle-gate was then opened, and both paddle-gates and the waste-gate were kept continually open, until the nineteenth September, when it was found, that the water had fallen only three feet, eight inches. Each paddle-gate is twenty-two inches square, or twenty-two inches high, by twenty in the clear, and the bottom of the paddle-gate is fourteen feet from the top of the dam, notwithstanding this immense discharge for so long a time, on the nineteenth September last, the water on the lake stood six feet, four inches above top water in the canal, or ten feet, ten inches above canal bottom.”

At the time the committee saw the lake, the water was just above the old dam, the top of which, in some places, at its surface, was irregular, and could be seen. There was no mark on the shore, or on the new dam, of the water having been lowered in the lake, although a supply had been taken from it, for that part of

summit level; on the contrary, there was the appearance of the water having been constantly on the rise.

It was represented to the committee, that there could be no doubt, but that the waters stored in the lake, would not only be ample for the whole canal, in the driest seasons, but would afford, at all times, to the streams, of which the lake is the source, a supply far beyond what they could have derived from it in its natural state.

Without any pretensions to a scientific investigation of the subject, the committee, from the information afforded them, and their own observation, fully concur in the belief of the abundance of the waters of the lake, at all times, for the purpose of a canal.

At this point, the committee's survey of the eastern division of the canal was completed. After taking an extensive view of the lake, from the adjacent high grounds, the committee proceeded along the western division. From the lake, they proceeded in view of the canal, to Stanhope, and from thence to Hackettstown; walking on the banks of the canal, or having it almost continually in view. There are near to Stanhope, three sections of the western division, which are not excavated, but there has been laborious and expensive deep digging, to bring the canal as far as to these unopened sections.

The committee, in the course of the afternoon, visited the dam and lock at Saxon's Falls. They slept at Hackettstown, on Wednesday night, the third December, and on Thursday, the fourth, again pursued the line of the canal, so far as it is excavated, which is within seven and a half miles, or fifteen sections, of its termination, on the Delaware. The parts of the canal, which remain to be excavated, are comparatively inconsiderable, not exceeding on the whole, except what is to be done between Newark and New York, twenty-eight sections, or fourteen miles, of ninety miles the whole distance, and those parts, are all of them of easy execution, requiring nothing but ordinary earth digging.

The committee are of opinion, that the location of the Morris canal, considering the nature of the country through which it passes, is a very fortunate one, and is strongly indicative of the distinguished talents, experience, and industry of the chief engineer, Major Beach, who selected it. The excavation of the canal, and the embankments, throughout, is finished with great care and skill, and the locks, although they were filled and passed, for the first time, by the committee, were in most excellent working order.

Attached to this report, are the answers to certain queries submitted by the committee, to the directors of the Morris Canal Company, and a table furnished by them, shewing the actual state of the Morris canal, and the condition of the work upon it, divided into sections, of half a mile each, to which we beg leave to refer, for any information not contained in this report.

The committee stopped on the banks of the Delaware, at Philipsburgh, to view the spot directly opposite to the mouth of the Le-

high, and opposite the Lehigh canal, where the Morris canal will fall into the Delaware, and where there is a project for erecting a dam across that river, which would make a basin, that would serve all the three canals that have their termination at this place; that is, the Morris, the Lehigh, and the Delaware canals. It would, besides, make the shores of Easton, the borders of a beautiful still water lake, of about three miles in extent.

On Thursday night, fourth December, the committee lodged at Bethlehem. On Friday, they proceeded to Mauch Chunk. On Saturday, sixth December, they went on the inclined plane, to the coal field of the Lehigh Company. The day was spent in examining the extent of coal, and the manner of transporting it to the chute, or landing, upon the Lehigh. The whole top of the mountain, except a few feet upon the surface of earth, is a coal bed, already ascertained to be many miles in extent, and, in depth, has been explored more than forty feet, the coal still of a good quality, and most probably does extend to the base of the mountain, which is nine hundred feet high, and may, in a manner, be considered as inexhaustible.

The company are preparing for a large business; are uncovering the coal to a great extent, and increasing the facilities for conveying it down the mountain, in so much, that by the time their canal along the Lehigh is finished, to Easton, which, it is expected will be in the course of June next, almost any quantity of coal can be furnished by them, at that place, that the increasing demand for the article may require. Our visit to Mauch Chunk, appeared to us necessary, and the information furnished by it, all important to the success of the enterprize it was our duty to investigate. It would be in vain for the State to take an interest, or for our fellow-citizens to expend their money, in constructing a canal, where sufficient materials were wanting to furnish a profitable business, after it was completed. We have now ascertained, to our entire satisfaction, that these will not be wanting. The Lehigh Company will be able to furnish, in the course of the present season, more coal than can be transported upon two such canals; and the city of New York will furnish a ready and profitable market. At the time we visited New York, upon this tour, coal was selling at twelve dollars, in that city, per chaldron. From a calculation, made in our presence, by Mr. White, the superintendant of the Lehigh Company, and the president of the Morris Canal Company, we believe, that the Lehigh coal may be delivered in New York, at five dollars per ton, allowing the price for the coal demanded by the Lehigh Company, and the Canal Company full toll for transporting it.

Independent of the coal, many other important articles might be enumerated, as ores, iron, lumber, lime, and the products of agriculture; but it is unnecessary to swell this report with a minute detail; to every person acquainted with the geography of the country, and its products, the fact must be self-evident.

In concluding this report, the committee feel it to be their duty to express, that the greatest politeness and attention was received by them from the directors, and officers of the Morris Canal Company, and every facility afforded them to accomplish, in the most satisfactory manner, the duty the Legislature was pleased to assign them.

A. HOWELL,
W. B. EWING,
WILLIAM STITES.

ANSWERS

To the questions proposed by the Honorable the Committee, appointed by the Legislature of New Jersey, to visit the Morris Canal.

First question. The length of the Morris Canal, from the commencement, near Easton, to the termination, at Jersey City?

Answer. The canal is divided into sections of forty-two chains each. From the Delaware, opposite to Easton, to

the feeder at the summit level, there are	74 sections.
From thence to Newark,	97 do.

(89½ miles)	
From thence to the Hudson, at Jersey City,	171 do.
	21 do.

192 sections.

equal to eight thousand sixty-four chains, or one hundred miles and sixty-four chains, which is the length of the canal, from its commencement, near Easton, to its termination, at Jersey City. The navigable feeder from the canal to the Hopatecong lake, is sixty chains; so that the length of the whole canal, including the extension to Jersey City and the feeder, is one hundred and one miles, and forty-four chains.

It must be observed, that in working the canal, some slight alterations have been made in the route, as originally surveyed, and since its course through Newark, to Jersey City, has been determined. This, too, has occasioned some variations from the original design, as to the disposition and elevation of some locks and planes, this will account for the slight variance which in some instances may be observed between these answers, and former statements. Pains, however, have been taken to be as accurate as possible, on the present occasion.

Second Question. The number of sections excavated, and which may be considered as complete?

Third Question. The number of sections in part excavated?

Fourth Question. The number of sections not worked upon?

Answers. In answer to these questions, the committee are respectfully referred to a table (herewith submitted) in which the sections of the canal are distinguished by numbers, and the actual state of each section, as to excavation, is shown, whether completed, in part done, or not worked upon.

There are completely excavated,	125 sections
in part excavated,	23 do.

150 do.

On the eastern division, there is only as much as two sections, and on the western, nineteen, not worked upon,

21 do.

171 do.

Between Newark and Jersey City, where nothing has been done, there are

21

192 do.

Fifth Question. The number of inclined planes, their length and elevation surmounted by each ?

Answer. The table herewith submitted, will answer this question in all its particulars ?

Sixth Question. The number of locks, what proportion of them are finished, the number incomplete, how many are to be commenced ?

Answer. The above mentioned table, will furnish full information as to all these particulars.

There will be on the whole canal, twenty three locks, of these, sixteen are finished, one is in part done, and there are six to be commenced. The lock which is part done, is in the eastern division, and only two of the locks, not commenced, are in the same division.

Seventh Question. Whole amount expended by the Morris Canal Company, in the canal ?

Answer. There has been expended by the company, upon the Morris canal until this date, December thirteenth, eighteen hundred and twenty-eight, for work done, materials furnished, land and water privileges, &c per vouchers rendered,

\$754,083 89

There has also been paid by the company sundry contingent expenses, much of which would be a proper charge to the canal, but it has not yet been examined and approved by the canal committee, and therefore not charged to that account,

\$29,999 21

Balance interest account,

10,068 38

\$794,151 48

From which deduct amount standing to the credit of profit and loss account,

16,227 77

Whole amount paid by the company to this time, \$777,923 71

Eighth Question. Amount of demands against the company ?

Answer. The demands against the company, are as follows, viz : Post notes of the company in circulation, issued on account of the first loan of three hundred thousand dollars, which notes, as they shall be issued, are secured by a judgment, entered in the Supreme Court of New Jersey, in favor of Charles Wilkes, and others, trustees of these notes : there have been issued, and the judgment now stands, as security, for no more than

\$268,500 00

Bank of New York,

\$20,000

Mechanics' Bank,

10,000

City Bank,	10,000
being the whole amount used of a second loan of two hundred thousand dollars, on notes of stockholders : which notes, as they shall be used, are secured by a judgment, in favor of John Hone, jun. and others as trustees, and which therefore now stands as a security, for no more than the above,	\$40,000 00
Bank notes, whole amount in circulation this day, thirteenth December, eighteen hundred and twenty-eight,	36,288 00
Individual balances, amount due depositors,	5,168 61
Amount due contractors for work done, &c. as per estimate of engineer,	38,093 89

Amount of demand against the company, \$388,050 50

Ninth Question. Prosecutions against the company, if any ?

Answer. There are no prosecutions against the company, except governor Colt's bill, in chancery, (if this may be called a prosecution,) for an injunction, to prevent the company from taking out of the Rockaway river, any part of the waters they may bring into it, from the lake. There are two or three suits depending, which were commenced in justice's courts, against contractors, for taking stone, breaking down fences, &c. These are for very trifling amounts.

Tenth Question. Is there any incumbrance on the stock of the company, and to what amount ?

Answer. The company own two thousand eight hundred and eighty-one shares of their own stock, being a part of those returned to them in eighteen hundred and twenty-six ; and also three hundred and twenty-three shares since forfeited, making in all, three thousand two hundred and four shares : three thousand of these have been placed in the hands of the above-mentioned trustees, for the second loan, John Hone, jun. and others, as a security, in addition to the judgment, to the stockholders, who should advance their notes to the amount of two hundred thousand dollars, for the company to raise money upon : of these notes, only forty thousand dollars have been used, to raise money, from the New York Mechanics' and City Banks, as stated in the answer to the eighth question.

There are no other incumbrances on the stock of the company, or on the canal, or any of its property, than those above noticed.— It may be proper to mention, that the judgments are entered nominally ; the one for six hundred thousand dollars, and the other for four hundred thousand dollars, being for double the amounts intended to be secured, as is usual, when this mode of security is adopted. But there are declarations of trust, which accompany the judgments, on the files of the court, explaining the intent with which the judgments are entered, and which would prevent their being enforced at any time, for any greater sum than they are intended to secure : which, at this time, would be as above mentioned, two

hundred and sixty-eight thousand, five hundred dollars on the one, and forty thousand dollars on the other.

Information, which it appears to be the object of the foregoing questions to obtain, may be afforded by the following

STATEMENT.

Amount due by the company, including bills in circulation, all loans or other obligations, as well as for work done, and materials furnished, or properly acquired for the canal,	\$388,050 50
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Amount required to completely finish the canal, and all the necessary works from the Delaware, at Easton, to the Passaic, at Newark, as per estimate of the chief engineer, furnished this day,	284,000 00
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Required to pay all debts, and to finish the canal to Newark,	\$672,050 50
---	--------------

To meet the existing demands against the company, and to provide the necessary means for furnishing the canal, the company has the following

RESOURCES.

Bills receivable, being principally the notes of stockholders, received for instalments, for which stock is held as collateral security,	\$145,402 98
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Bills receivable, being notes received for instalments, on shares that have been forfeited: These notes are not considered as of much value, although, it is expected that part of them will be realized,	15,879 44
---	-----------

Amount still due upon shares of stock actually subscribed and considered good, not paid by note or otherwise,	75,182 00
---	-----------

Cash on hand, specie, and notes of other banks,	15,168 48
---	-----------

Three thousand two hundred and four shares of stock, at par, is	320,400 00
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\$572,032 90

The better to enable the committee to understand the present condition of the financial concerns of the company, they are presented with the following general

ACCOUNT.

Dr.

To capital stock, amount paid in,	\$604,418 00
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To post notes, amount used of first loan of three hundred thousand dollars,	268,500 00
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To bills payable, and used of second loan of two hundred thousand dollars, in notes of stockholders,	40,000 00
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To individual balances, amount due depositors this thirty-first December, 1828.	5,168 61
---	----------

To bank notes, amount in circulation.	56,288 00
	<hr/>
	\$954,374 61
	<hr/>
	CR.
By Morris canal, amount paid for work, &c.	\$754,083 89
By balance of contingent expense and interest,	23,839 82
By bills receivable, amount in hand,	161,282 42
By cash in hand, and bills of other banks,	15,068 48
	<hr/>
	\$954,374 61
	<hr/>

Eleventh Question. What the contemplated amount of tonnage to be transported, and what the anticipated expense of transportation, per ton?

Answer. In answer to these questions, the committee are respectfully referred to the printed pamphlet herewith submitted, which contains an estimate on this subject, made by the United States' engineers in eighteen hundred and twenty-three.

The canal will be capable of transporting three hundred thousand tons a year. If only half this were done, and the toll were to be charged at only one cent per mile, instead of three cents, which the charter allows, the canal would give a great interest on its cost. As as to the prospect of the canal having full employment, the committee are referred to what they have seen of the coal field at Mauch Chunk, and of the agricultural, manufacturing, and mineral country to which the canal will afford the means of transportation.

It is anticipated that one cent a mile per ton, or twenty-five dollars for each boat of twenty-five tons, will cover all the expenses of transportation on the Morris canal. To this must be added the tolls. At present the company calculate that one cent, or one and a quarter cents per mile, per ton, will be as much as they will charge for tolls on coal: this would make the cost of the transportation of that article on the Morris canal, including tolls, two dollars, or two dollars and twenty-five cents per ton. The company do not now foresee any reason why they should not charge, at least for the ascending trade, the full toll the charter allows for other articles.

Coal will, unquestionably, become the common fuel, not only for the city of New York, and its vicinity, but for the population of an immense district of country which will take its supplies from the city of New York. It is already in use, notwithstanding its price is from eight to nine dollars a ton, on all the navigable waters on which it can be carried from the city. It is almost impossible to calculate what will be the demand for it, when the cost of it will be so much reduced as it must be when the Morris canal is opened.

Should these answers not be sufficiently explicit, or should the committee desire any further information, any intimation from them to this effect will meet with immediate attention, as it is earnestly desired that the committee should perfectly understand the actual

condition of the company, the state of its work and its prospects, all which is respectfully submitted.

CADWALLADER D. COLDEN,

President of the Morris Canal and Banking Company.

Jersey City, 13th December, 1828.

We, the cashier, and a committee of the Morris Canal and Banking Company, appointed for that purpose, do certify, that we have examined the foregoing statements, made by the president, and that we do believe them to be correct.

R. GILCHRIST, *Cashier.*

HENRY McFARLAN,

ABR. OGDEN,

CHARLES T. SHIPMAN,

} *Committee.*

Jersey City, 13th December, 1828.

TABLES,

SHOWING THE ACTUAL STATE OF THE MORRIS CANAL, AND THE
CONDITION OF THE WORKS UPON IT.

TABLE I.

*Showing the number and location of each section, its state as
to excavation, and the works executed or intended.*

EASTERN DIVISION.

FROM THE FEEDER, AT THE SUMMIT, TO THE PASSAIC, AT NEWARK.

No. Sect.	LOCATION.	State of Exca- vation.	Works upon the section done or intended.
1	Summit,	completed,	
2	do.	5-6 completed,	Inclined plane, No. 1.
3	do.	5-6 completed,	Culvert over turnpike.
4	above Drakeville	5-6 completed,	Plane, No. 2.
5	At Drakeville,	5-6 completed,	Plane, No. 3.
6	Near do.	completed,	Lock, Nos. 1. and 2.
7	Suck'ny Plains,	completed,	Culvert over Black river.
8		completed,	
9		completed,	
10		completed,	
11		completed,	
12	Baker's Mill,	completed,	Inclined plane, No. 4.
13	Near do.	completed,	Lock, No. 3.
14	do.	completed,	Culvert.
15	Above Dover,	completed,	Plane, No. 5.
16	Near Dover,	completed,	Lock, No. 4.
17	Near do.	completed,	Lock, No. 5.
18	Herd's brook,	completed,	Aqueduct. [locks.
19	In Dover,	completed,	Two lift locks, dam and guard
20	Below do.	completed,	Two culverts 19 or 20, & waste-
21	do. do.	completed,	One culvert. [weir on 20.
22	do. do.	completed,	
23	Below Dover,	completed,	
24	Below Dover,	completed,	[vert.
25	Rockaway,	completed,	Inclined plane, No. 6. 1 cul-
26	Beaver brook,	completed,	Aqueduct over Beaver brook
27	Near do.	completed,	[and feeder.
28	do. dq.	completed,	Four foot culvert.

No. Sect.	LOCATION.	State of Excavation.	Works upon the section done or intended.
29	Near Beaver brk	completed,	Lock, No. 8.
30	Rockaway river,	completed,	Aqueduct over Rockaway river.
31	Near do.	completed,	
32	do. do.	completed,	
33	Near do.	completed,	
34	Powerville,	completed,	Locks, Nos. 9. and 10.
35	Powerville,	completed,	Guard lock.
36	Booneton falls,	completed,	Lock, No. 11. and waste gates.
37	Booneton falls,	completed,	Plane No. 7.
38	Near do.	completed,	Lock, No. 12. and waste weir.
39	do. do.	completed,	Waste-weir.
40	Montville,	completed,	Inclined plane, No. 8.
41	Montville,	completed,	Inclined plane, No. 9. & waste-
42	Near Montville,	completed,	Waste-weir. [weir.
43	Waughhough,	completed,	
44	Near do.	completed,	
45	do. do.	completed,	
46	do. do.	completed,	Waste-weir.
47	do. do.	completed,	
48	Near Pompton,	completed,	Inclined plane, No. 10.
49	do. do.	completed,	Culvert.
50	do. do.	completed,	Two culverts.
51	do. do.	completed,	Culvert.
52	do. do.	completed,	Lock, No. 13.
53	do. do.	completed,	
54	Pompton river,	completed,	Aqueduct.
55	Mead's basin,	completed,	Culvert.
56	Singack,	3-4 done,	
57	Below Singack,	3-4 done,	
58	do. do.	3-4 done,	Aqueduct.
59	do. do.	3-4 done,	Two culverts on 59. and 60.
60	Little Falls,	3-4 done,	Great aqueduct.
61	Near do.	completed,	Culvert.
62	Peckman's river,	completed,	Aqueduct and two culverts.
63	Near do.	completed,	
64	do. do.	completed,	Waste-weir.
65	Below do.	completed,	Drain.
66	do. do.	completed,	
67	Above Paterson,	completed,	Waste-weir.
68	do. do.	completed,	Waste-weir and waste-gates.
69	Paterson,	completed,	Deep rock excavation.
70	do. do.	completed,	Do. do.
71	Below do.	completed,	
72	do. do.	completed,	
73	do. do.	completed,	

No. Sect.	LOCATION.	State of Excavation.	Works upon the section done or intended.
74	Below Paterson,	completed,	
75	Madison Valley,	completed,	
76	do. do.	completed,	
77	do. do.	completed,	
78	Near do.	1-2 done,	
79	Near do.	1-2 done,	
80	Near Stone house		
	Plains,	completed,	
81	do. do.	completed,	
82	do. do.	completed,	
83	do. do.	completed,	
84	Bloomfield,	3-4 done,	Inclined plane, No. 11.
85	Third river,	3-4 done,	Aqueduct and two culverts.
86	Bloomfield,	completed,	Lock, No. 14.
87	Second river,	completed,	Aqueduct.
88	Near Randolph's	completed,	
89	Branch brook,	completed,	Large culvert.
90	Farren's basin,	completed,	
91	Near do.	completed,	
92	Cross Turnpike,	completed,	Small culvert.
93	Orange road,	completed,	Small culvert.
94	Above Newark.	completed,	Two culverts.
95	do. do.	completed,	Lock, No. 15.
96	Town of Newark	nothing done,	Inclined plane, No. 12.
97	do. do.	nothing done,	Two locks, Nos. 16. and 17.

WESTERN DIVISION.

FROM THE FEEDER, AT THE SUMMIT, TO THE DELAWARE, NEAR EASTON.

No. Sect.	LOCATION.	State of Excavation.	Works upon the section done or intended.
1	Summit	completed,	
2	do. do.	completed,	Small culvert.
3	Great Meadow,	nothing done,	Inclined plane, No. 1.
4	On do.	nothing done,	Waste-weir.
5	Stanhope,	nothing done,	Waste-weir, inclined plane,
6	Near Sayer's,	7-8 done,	Lock, No. 1. [No. 2.
7	do. do.	7-8 done,	Aqueduct.
8	do. do.	7-8 done,	
9	Near Andover,	completed,	Inclined plane, No. 3.
10	At do.	completed,	Inclined plane, No. 4.
11	Moseconetcong ri.	completed,	Dam and guard lock.
12	Below Andover,	completed,	

No. Sect.	LOCATION:	State of Exca- vation.	Works upon the section done or intended.
13	Guinea Hollow,	completed,	
14	do. do.	completed,	
15	do. do.	completed,	
16	do. do.	5-6 done,	Lock, No. 2.
17	Saxen's Falls,	completed,	Dam and guard lock.
18	Near do.	completed,	
19	do. do.	completed,	Culvert.
20	Mammoth grave,	completed,	
21	do. do.	7-8 done,	
22	Near Hacketts-	7-8 done,	Culverts.
23	Below do. [town,	7-8 done,	
24	do. do.	completed,	Large culvert.
25	do. do.	completed,	
26	do. do.	completed,	Culvert.
27	do. do.	completed,	
28	do. do.	completed,	
29	do. do.	completed,	Large culvert.
30	do. do.	completed,	
31	do. do.	completed,	
32	do. do.	completed,	Waste-weir.
33	do. do.	completed,	
34	do. do.	completed,	
35	Ramsay's Basin,	completed,	
36	Near do.	completed,	
37	Below do.	completed,	
38	Near Anderson-	completed,	Inclined plane, No. 5.
39	do. [town,	completed,	
40	do. do.	completed,	
41	do. do.	completed,	Inclined plane, No. 6.
42	Near Washing-	completed,	
43	do. [ton,	completed,	Lock, No. 3.
44	do. do.	completed,	
45	Washington,	completed,	
46	Near do.	1-3 done,	
47	Pohatcong,	1-3 done,	Inclined plane, No. 7. large
48	Below do.	completed,	Culvert. [culvert.
49	Brass Castle-	completed,	Aqueduct.
50	Below do. [brook	completed,	
51	do. do.	completed,	Culvert.
52	do. do.*	nothing done,	
53	Broadway,*	1-3 done,	
54	Warne's creek.*	1-3 done,	Aqueduct.
55	Below do.	1-3 done,	
56	do. do.	completed,	Culvert.
57	Near New vil'ge	completed,	

No. Sect.	LOCATION.	State of Exca- vation.	Works upon the section done or intended.
58	Near New Vil'ge	completed,	
59	At do.	completed,	
60	Below do.	just commen'd	
		nothing done,	
61	do. do.	nothing done,	Lock, No. 4.
62	do. do.	nothing done,	
63	Hullyhisers,	nothing done,	Plane, No. 8.
64	Near Stewarts-	nothing done,	
65	do. [ville,	nothing done,	
66	do. [brook,	nothing done,	
67	Near Bridlemans	nothing done,	Plane, No. 9.
68	do. do.	nothing done,	
69	do. do.	nothing done,	
70	do. do.	nothing done,	Plane, No. 10.
71	do. do.	nothing done,	Lock, No. 5.
72	Gain's Mills,	nothing done,	Lock, No. 6.
73	Green's Mills,	nothing done,	Culvert.
74	Delaware.	nothing done,	Inclined plane, No. 11.

The feeder, from the Hopatcong lake, is fifty-four chains in length. It is completed : there are upon it one culvert, and at the head, a guard lock and a lift lock, into the lake, and across the outlet there is a stone dam. All these works are complete.

*In a former statement, this appears, in consequence of a misprint, to be finished; there was an error, also, as to these three sections, viz: fifty-three, fifty-four, and fifty-five, which is now corrected.

RECAPITULATION.

EASTERN DIVISION.

82 sections,	completed,	is 82 sections.
2 do.	half done,	1 do.
7	3-4 done,	5 1-4
4	5-6 done,	3 1-3
2	nothing done,	
<hr/> 97		<hr/> 91 7 1-2

WESTERN DIVISION.

43 sections,	completed,	is 43 sections.
6	7-8 done,	5 1-4
1	5-6 done,	5-6
5	1-3 done,	1 2-3
19	nothing,	
— 171		— 51 1-2
143 1-12 done.		
		143 1-12
27 11-12 yet to be done.		

By this it will be seen, that of the hundred and seventy one sections between the Delaware and the Passaic, as much as one hundred and forty-three one-twelfth sections are done, leaving as much as twenty-seven eleven-twelfth sections, say twenty-eight sections, or as much as fourteen miles yet to be done. In these twenty-eight sections are included, the sections that pass through the town of Newark, to the west bank of the Passaic, which were not included in former estimates of the canal. No part of the excavation yet to be done requires any thing but ordinary earth digging. All the rock excavation, and all the deep cutting, except a small part of the deep cut near Madisonville, is done.

TABLE II.**INCLINED PLANES AND LOCKS.**

Shewing the number of each plane and lock; its location; the number of the section it is upon; the elevation and inclination of the respective planes; the lift of the locks, and state of each of these works.

EASTERN DIVISION.

Plane.	Lock.	No. of the plane or lock	LOCATION.	Number of the section	Elevation of plane in feet	Inclination of the plane	Lift of the lock in feet.	State of the work.
1		1	Summit,	2	50	1-12	}	On No. 1 something has been done, on the other two the walls are principally completed, (pally laid
1		2	Drakeville,	4	80	1-10		
1		3	Near do.	5	38	1-12		
	2	1 & 2	do. do.	6			20	nothing done,
1		4	Baker's Mills,	12	52	1-8		completed,
	1	3	Near do.	13			8	nothing done,
1		5	Above Dover,	15	63	1-9		completed,
	1	4	do.	16			9	nothing done,
	1	5	do.	17			9	completed,
	2	6 & 7	At do.	19			18	completed,
1		6	Rockaway,	25	52	1-12		has been in operation

Plane.	Lock.	No. of the plane or lock.	LOCATION.	Number of the section	Elevation of plane in feet	Inclination of the plane	Lift of the lock in feet.	State of the work.
	1	8	Near Rockawy	29			7	completed,
	2	9 & 10	Powerville,	34			15	completed,
	1	11	Booneton,	36			10	completed,
		7	Booneton Falls	37	80	1-10		completed,
	1	12	Near do.	38			12	completed,
1		8	Montville,	40	76	1-11		nearly do. (ly done
1		9	do.	41	74	1-11		walls & excavation near-
1		10	Near Pompton	48	56	1-12		contract to be completd
	1	13	do.	42			8	completed (May 1
		11	Bloomfield,	84	52	1-12		contract to be completd
	1	14	Near do.	86			10	completed (April 1
	1	15	Above New'rk	95			10	Pit done & some stone
								delivered.
1		12	Newark,	96	70	1-12		nothing but a little ex
								cavation done.
	2	16 & 17	do.	97			20	nothing done.
					743			
12	17				156			
							156	
			Planes & locks	899				

WESTERN DIVISION.

Plane.	Lock.	No. of the plane or lock	LOCATION.	Number of the sections	Elevation of plane in feet	Inclination of the plane	Lift of the lock in feet.	State of the work.
1		1	Great Meadow	3	60	1-10		nothing done.
1		2	Stanhope,	5	70	1-11		do. do.
	1	1	Near Sayer's,	6			10	completed.
		3	do. do.	6	55	1-12		nothing done,
1		4	Old Andover,	10	80	1-8		do. do.
	1	2	Guinea hollow,	16			10	completed.
1		5	Near Anderson	38	64	1-12		nothing done.
1		6	Monte Rose,	41	50	1-10		do.
	1	3	Near do.	43			10	do.
1		7	Pohatcong,	47	73	1-10		do.
	1	4	Near N. Vil.	61			10	do.
1		8	Hulzesers,	63	60	1-11		do.
1		9	Near Bridle-					
			mans brook.	67	100	1-10		do.

Plane.	Lock.	No. of the planes or lock	LOCATION.	Number of the sections.	Elevation of plane in feet.	Inclination of the plane.	Lift of the lock in feet.	State of the work.
1		10	Nr Green's mls	70	50	1-12		nothing done.
	1	5	do. do. do.	71			10	do. do.
	1	6	do. do. do.	72			10	do. do.
1		11	Delaware river	74	32	1-12		do. do.
							60	
11	6				694 60			
			Planes & locks	754				

RECAPITULATION.

Planes.	Eastern division,	12	743 feet.
	Western division,	11	694 feet.
		22	1437 feet.
Locks.	Eastern division,	17	156 feet.
	Western division,	6	60
		23 locks.	216 feet.
			1653 feet.

TABLE III.

Shewing the principal aqueducts, culverts, dams, guard locks, and weirs; the sections on which they are respectively situated, and the extent and state of each.

EASTERN DIVISION,

Works.	On what section.	Extent.	State of the work.
Culvert,	3	16	Over the Stanhope turnpike, completed.
Culvert,	7	10	completed.
Culvert,	14	4	completed.
Aqueduct,	18	32	completed.
Dam,	19		completed.
Guard-lock,	19		completed.
Culvert,	19	4	completed.
Culvert,	20	4	completed.
Culvert,	21	4	completed.

Works.	On what section.	Extent.	State of the work.
Culvert,	25	10	completed.
Aqueduct,	26	83	completed.
Culvert,	28	4	completed.
Aqueduct,	30	120	completed.
Guard lock,	35		completed.
Dam,	36		completed.
Culvert,	49	4	completed.
do.	50	4	completed.
do.	50	4	completed.
do.	51	4	completed.
Aqueduct,	54	236	completed.
Culvert,	55	4	completed.
Aqueduct,	58	58	partly done.
Two culverts,	59	4	completed.
Aqueduct,	68	80	4-5 done. This is at the Little Falls; it
Culvert,	61	4	completed. [will be near 200 ft on the top.
Aqueduct,	62	83	completed.
Two culverts,	62	4	completed.
Aqueduct,	85	58	completed.
Culvert,		10	completed.
Aqueduct,	87	58	completed.
Culvert,	89	10	completed.

WESTERN DIVISION.

Works.	On what section.	Extent.	State of the work.
Culvert,	2	4	completed.
Aqueduct,	7	20	nearly completed.
Guard lock,	11		completed.
Dam,			nothing done.
Dam,	17		completed.
Guard lock,			completed.
Culvert,	22	3	completed.
do.	24	70	completed.
do.	26	4	completed.
do.	29	6	completed.
do.	48	16	nothing done.
Aqueduct,	49	22	completed.
Culvert,	51	6	completed.
Aqueduct,	54	22	nothing done.
Culvert,	56	3	completed.
do.	73	10	nothing done.
			On the feeder, there are,
One culvert,		3	completed.
Guard and lift		10	completed.
Dam, [lock,			across the outlet, completed.

BRIDGES.

There are one hundred and thirty-one Bridges completed: one hundred and one on the eastern division, and thirty on the western.

Which report was read, and together with the accompanying documents, was committed to Messrs. Jackson Pennington, and Stratton, the committee to whom was referred the memorial of the Morris Canal and Banking Company ; and three hundred copies ordered to be printed.

Mr. Westervelt, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to incorporate the city of Jersey, in the county of Bergen, and to repeal a former act.

Which bill was read, and ordered a second reading.

The engrossed bill entitled, A supplement to an act entitled, An act to incorporate the Columbian Steam Boat Company, passed the twelfth day of February, in the year of our Lord, one thousand eight hundred and twenty-eight,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Black,
Coles,
Eayre,
Ellis,
Emley,
Estell,
Evans,
Ewing (Speaker)
J. Foster,
N. Foster,
Hillard,
Hopper,
Jackson,
Lloyd,

Messrs. Merkel,
Monro,
Pennington,
Porter,
Potts,
Robbins.
Seeley,
Shinn,
Smith,
Stites,
Stratton,
Townsend,
Vleit,
West—28.

NAYS,

Messrs. Annin,
Clifford,
Godwin,
Hancock,
Howell,
Nevius,

Messrs. Snowhill,
Voorhees,
Walling,
Westervelt,
Wurts,
Zabriskie,—12.

Ordered, that the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The House adjourned to ten o'clock to-morrow morning.

THURSDAY, January 15, 1829.

Ten o'clock the House met.

Mr. Evans presented a petition from a number of the owners of the drowned lands, in Sussex County, praying a repeal of the law relative thereto.

Which petition was read, and committed to Messrs. Evans, Townsend, and West.

Mr. Voorhees presented a petition of Betsey Voorhees, of Somerset county, praying to be divorced from her husband, Lucas Voorhees.

Which petition was read, and committed to Messrs. Voorhees, Vleit, and Stites.

Mr. Hancock presented two several petitions from inhabitants of Morris county, in favor of the State assisting the Morris Canal and Banking Company, by a loan of its credit to them.

One of which petitions was read, and together referred to the committee on the subject,

Mr. Eayre, from the committee on on that subject,

Reported a bill entitled, A supplement to an act entitled, An act to alter and amend the act entitled, An act concerning inns and taverns, passed the first day of June, one thousand eight hundred and twenty.

Which bill was read, ordered a second reading, and to be printed.

Mr. Wurts, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act respecting the will of Cornelius Wyckoff, late of the county of Hunterdon, deceased.

Which bill was read, and ordered a second reading.

The bill entitled, An act authorizing the enclosure of a certain tract of land, situate in the township of Caldwell, in the county of Essex, called the "Hetfield swamp."

Was read a second time, progressed in by section, and postponed.

The bill entitled, An act for the preservation of muskrat fur.

Was read a second time, progressed in, and postponed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Emley, from the committee to whom was referred the petition that subject,

Reported a bill entitled, a supplement to an act entitled, An act respecting bridges, passed the fifth of November, one thousand seven hundred and ninety-eight.

Which bill was read, ordered a second reading, and to be printed.

Mr. Nevius, from the committee to whom was referred sundry memorials, from inhabitants of the State of New Jersey, praying the construction of a canal, from the tide waters of the Delaware, to the tide waters of the Raritan, together with the remonstrances against the same,

Reported, That they have given to the subject, the careful, serious, and deliberate consideration which its importance demanded; and are unanimously of opinion, that the Legislature ought to pass a law, in conformity with the prayer of the memorialists.

And your committee beg leave respectfully, to present to the House, the reasons and the facts, which form the basis of their opinion:

First. The first inquiry, to which your committee turned their attention was, whether a canal to connect the tide waters of the Delaware and Raritan, is practicable?

To this question, they met with no difficulty in obtaining a favourable solution.

As early as the year one thousand eight hundred and four, the project of a canal, to connect these waters, formed the subject of grave deliberation, and earnest inquiry.

A route was at that period, examined by a company of experienced and intelligent gentlemen, and a law procured, authorizing its construction, by a company---but the infant state of our trade, and resources, and the novelty of the experiment, at that early period, prevented the execution of the work.

At two different periods, since then, to wit; in one thousand eight hundred and sixteen, and again in one thousand eight hundred and twenty-three, commissioners were appointed by the Legislature, to explore the route, and determine from accurate examinations, the practicability of the project.

In both instances, the commissioners composed of gentlemen, in every respect competent to the task, discharged the duties assigned them, and reported the measure to be not only feasible, but easy of accomplishment; and at a period still later, the ablest, and most experienced and scientific engineers of the country, have been employed to examine, survey and level the ground; and they have under the sanction of an oath, and upon their character, as practical men, confirmed the opinion of the commissioners, as to this question, and furnished a minute estimate of the actual expense, with which the work can be accomplished.

These examinations and surveys, present facts independent of the opinions of those employed in them, which settle this question conclusively. It is a well known, and well understood axiom, "give an engineer water enough, at the summit level, and he will make a canal any where." And it is ascertained that on one route, at least, the summit level of the canal proposed, will be but fifty-one feet

above tide, and that the waters of the Delaware at Eagle Island, twenty miles above Trenton, are fifty-six to fifty-seven feet above tide, from whence any quantity of water necessary, can be conveyed with ease, by means of a feeder, to the summit level of the canal. It was upon these well ascertained evidences of its practicability, that a joint stock company, some time since, paid one hundred thousand dollars into the treasury, for the privilege of making this canal; and it was the consciousness of this, that caused thousands of our intelligent citizens to rejoice at the failure of that company to procure a law from Pennsylvania, compatible with their charter, by which the right of embarking in this great enterprise again reverted to the State.

This primary inquiry being thus satisfactorily answered, and the practicability of the proposed canal being placed beyond the possibility of a doubt; the second important question to be determined is:

Second. Ought the state to undertake the work?

And to this subject the committee now invite the attention of the House.

Under this head, several important inquiries present themselves, to each of which the committee have turned their attention, and upon a careful investigation of which they have founded their conclusion. These are:

First. The probable or estimated cost of the proposed canal.

Second. The resources of the State, and its capability of meeting the expenditure

Third. The revenue to be derived from it when made.—And

Fourth. The advantages independent of the matter of revenue, which will accrue to the State and to the Union, from its construction.

All of which are considerations intimately and inseparably connected with the great question of expediency involved.

First. And first the probable cost.

The mode of ascertaining this is the same in the present, as in every other individual or public enterprise. We are guided by the same rules which guide the merchant who wishes to build a ship, or the citizen who is desirous of erecting a house. We are to seek, and found our calculations on the estimates which scientific men, engaged in that department of business, make. There is no other mode of ascertaining the expense of any projected work.

To ascertain the cost of a canal, we consequently consult an engineer; and here we have an estimate of the cost of the proposed canal furnished to our hands. Mr. Canvass White, an experienced and distinguished engineer, was employed by the late Delaware and Raritan Canal Company, to survey, level, and examine the ground intervening between the two rivers, and to ascertain the expense of constructing a main canal from river to river, upon the most approved route, sixty feet wide, by eight feet deep, and also the expense of constructing a navigable feeder, to supply the main trunk with water from the Delaware, of forty feet wide and five feet deep. He completed the work and furnished the following:

“ Estimate of expense for constructing Delaware and Raritan canal, and feeder to Eagle Island,

Main canal to fifty-ninth section, near the mouth of millstone river,	\$313,897
Lockage, and work connected with locks,	187,600
Continuation of main canal, from fifty-ninth section to New Brunswick,	164,000
Acqueducts and culverts,	72,300
Grubbing and making roads,	12,856
Fencing sixty miles canal and feeder, six hundred and forty dollars per mile,	38,400
Road and farm bridges,	66,000
Protecting banks of main canal with stone,	20,680
Feeder to Eagle Island five feet deep and forty wide,	212,592
	<hr/>
	\$1,088,325
Add, for contingencies, 5 per cent,	54,416

\$1,142,741

(Signed,)

C. WHITE, *Engineer.*”

To this estimate the following note is appended from Benjamin Wright, a highly respectable and long experienced engineer:

“ I have examined the estimate of expense above made by Mr. White, and seen the ground over which the canal is to be made, and believe it fully competent to effect the object.

B. WRIGHT.”

The House will perceive, that this estimate is made for a canal of the largest dimensions, forty miles in length, and for a feeder twenty miles in length. If the House should, upon deliberate reflection, be of opinion that the dimensions of either or of both should be reduced, a proportionate reduction would necessarily follow in the various items of expenditure. There are various considerations why both the canal and feeder, should be made of the dimensions above contemplated, which the committee, however, will not now agitate. Their great object is to prove that the State ought to embark in this undertaking; in comparison with which the details of the plan are not so important.

That the calculation of expense above made may be relied upon as at least sufficiently large, we think manifest from several considerations:

First. It is a calculation made upon the professional character of the gentlemen from whom it emanates, possessed as they were, of all the experience and information requisite in the case: and

Second. In the hands of a professional engineer, such a calculation becomes a plain matter of figures—the amount of excavation and the price per yard—the number of locks necessary, their size and cost; with every other item, is susceptible of being accurately ascertained.

Again.—The estimate of Mr. White was made three years ago, and since then, the price of canal labour has been much reduced;

then it was necessary to calculate the expense of excavation, for instance, at twelve and a half cents, per cubic yard, and Mr. White has done so. But contracts have been made upon the Pennsylvania canals since that period, as low as six and a quarter cents per cubic yard; being a reduction of one half in the price of the most expensive item in the work; and the cost of other items has also been reduced.

It was under the knowledge of these facts, that governor Clinton, in his message to the legislature of New York, in one thousand eight hundred and twenty-seven said "the maximum expense of any given canal, (of the dimensions of the New York canals,) would not exceed ten thousand dollars a mile, unless under unfavorable circumstances." A declaration solemnly made, in his official character, under all the light and experience obtained by that great man, during the long period of his intimate connexion with the great system of internal navigation in his own state. Forty miles of the canal we contemplate, being one third larger than the New York canal, and twenty miles of it being near the same size, would cost according to this calculation, about thirteen thousand dollars per mile, in the aggregate; while the estimate of Mr. White exhibits an aggregate cost of about nineteen thousand dollars per mile, for the sixty miles; six thousand dollars per mile, or three hundred and sixty thousand dollars in the whole, more than governor Clinton's estimate: for on this canal route, we believe it is universally admitted there are "no unfavorable circumstances."

Finally.—In regard to the estimate which is above submitted, the committee would observe, that there is no other means of arriving at the cost of this proposed enterprise. We have here as satisfactory evidence, as we ever can have. It is not a matter which admits of actual demonstration by experiment, for no canal, in all respects similar to the one proposed, ever can be made. Taking this then as the basis of our calculation—

Second. Are the resources of the State sufficient to accomplish the work?

On this subject, there is no difficulty. We have a resource in the credit of the State amply sufficient. It has been satisfactorily ascertained that a state stock, bearing five per cent. interest, and redeemable at a distant period, would command a considerable premium in the market. Consequently, as it would probably require about three years to complete the canal and feeder, and the loans would only be effected as the money was required, the premium would readily defray the interest accruing, while the work was in progress, and the opportunity would be afforded of meeting the first demands upon the State, by the revenue which during the fourth year, would accrue from the tolls.

There is nothing in this resort to the credit of the State, to alarm the most timid mind, provided the object to be accomplished is a safe and profitable one. New York borrowed the capital, by which she completed her stupendous internal navigation. Pennsylvania and Ohio, are proceeding in their great canal systems upon borrow-

ed capital. Nations, states, corporations, and individuals resort to it every day. It is the key which unlocks the golden treasures of almost every successful enterprise, and New Jersey can never embark in any great work of internal improvement as a State, can never improve the advantages placed by a bounteous Providence within her reach, without resorting to it. True, the same prudent calculations, as to the result of our enterprize ought to govern us in this case, as we trust would govern us, if the necessary funds were already in our coffers. And if your committee fail to show that there is a moral certainty, that this canal will prove a profitable enterprise to the State, they will willingly and cheerfully abandon it.

The committee then beg the indulgence, and the dispassionate attention of the House, while they proceed to lay before it their estimates of the probable revenue of the proposed canal, and the facts and reasons upon which those estimates are founded.

Third. The revenue of the canal?

An important consideration, presents itself at the threshold of this inquiry, to which the committee would invite attention. This is the location of the proposed canal, relatively to the other great inland navigations of the country.

On the north-eastern side of the Raritan, we have :

First. The East river navigation to Providence, Rhode Island, into which flows :

First. The eastern coasting trade.

Second. The trade of the Middlesex canal, extending from Boston to Concord, in the centre of New Hampshire.

Third. That of the Blackstone canal, from Providence to Worcester in Massachusetts, thirty-eight miles.

Fourth. The Farmington canal, leading through a rich agricultural country to New Haven, together with the trade of the navigable rivers of New England, which empty into the East river, or Sound; and

Second. The New York canals, connecting lake Erie and lake Champlain, with the Hudson, embracing a trade, the tolls from which have amounted during the past year, to eight hundred and thirty-three thousand dollars, a trade constantly increasing with the progressive improvement of the country, and which will speedily be swelled to an immense amount, by the completion of the numerous additional canals, contemplated by the legislature of that great and enterprising state.

By these mediums, the immense trade of a population of several millions of our most enterprising citizens, scattered over a large agricultural and manufacturing country, embracing seven states, have access to the Raritan. But its progress is bounded by the southern shores of that river; thus far it can go and no further. It is still twenty-eight miles from the Delwaare.

Passing over this narrow strip of land to the shores of the Delaware; we have

First. The Lehigh canal, opening an outlet from the inexhaus-

tible fields of coal, at Mauch Chunk into this river, with the certain prospect of a continuation of this navigation to the Susquehanna, and lake Erie, in reversion.

Second. The central Pennsylvania canals, uniting the Delaware and Susquehanna, with the Alleghany and lake Erie, connecting the various navigable streams of Pennsylvania, and opening an avenue by which her immense agricultural, and mineral trade will flow into the Delaware

Third. The Chesapeake, and Delaware Canal, connecting the Delaware with

First. The Chesapeake Bay, and its tributary rivers, and populous cities. The Susquehanna, Patuxet, Rappahannoc, Potomac, and James'. — Baltimore, Annapolis, Norfolk, Petersburg, Fredericksburgh, Richmond, Alexandria, Washington, &c.

Second. The Dismal Swamp Canal, now on the eve of completion, and soon to become navigable to Newbern, in North Carolina ; and

Third. The splendid canal, and rail road projects, now in progress, uniting the Ohio river with the Chesapeake.

Such is a brief view of the two great sections of country, and their internal navigations, which the Delaware and Raritan canal is to unite. It is to form a junction between the East river navigation, and its canals, and the New York canals on one side ; and the Lehigh, central Pennsylvania, and Chesapeake navigations and canals, on the other.

A view before which, in the opinion of the committee, the mere fact, that this proposed canal, will open a navigation between Philadelphia and New York, sinks almost into insignificance.

But we proceed to the inquiry ; what will be the probable revenue of the contemplated canal ?

This must arise from tolls for merchandize, &c. transported on the canal, and passengers, and we will consider,

First. The trade of the East river, its tributaries, canals and cities. And here it is proper to remark, with reference to the investigation which follow, that while the data, which the committee have been able to obtain, may be generally relied on as correct, yet in no instance has it been found possible to arrive at any thing like the full amount of trade, between the different points examined. And this circumstance, while it prevents the committee from presenting a full view of the advantages of the canal, in point of revenue, will satisfy the House, they trust, that their estimates are not too large. They will confine themselves to facts, as far as they have been able to become acquainted with them.

By an examination made in Philadelphia, in eighteen hundred and twenty-seven, the coasting trade between that city, and the following ports, amounted to

Hartford,	\$600,000
Nantucket,	384,000
New Bedford,	256,000
Providence,	1,480,000
Boston,	3,762,000
Portsmouth,	260,000
Portland,	135,000
Salem,	182,000
Newburyport,	259,200
Hingham,	259,200
Stonington,	135,000
	<hr/>
	\$7,712,400

And the amount paid for insurance, on these shipments, was three-fourths per cent. or fifty-five thousand dollars, exclusive of freight.

Now it is a principle indisputable, that trade will always seek the cheapest, safest, and most expeditious route ; and the whole of this trade, if the Delaware and Raritan Canal was opened, would have the benefit of a navigation essentially inland. Some of it, it is true, comes from beyond Providence, but the risk it would be subject to, would be so trifling, as either to do away the necessity of insurance entirely, or reduce the insurance at least to one quarter per cent. being one third of the present rate, inasmuch as the danger would be reduced nine-tenths, at the most moderate estimate. And allowing the freight to be the same inland as coastwise, though, in consequence of the great diminution of distance, and superior certainty and rapidity of transit, it would be far less; still the remaining half per cent. saved in the insurance, would be more than sufficient to pay the tolls on the canal.

As the above estimate however, only embraces the merchandise which was transported, between those parts, in regular lines, and did not include a large amount sent by transient vessels, the committee consider the appropriation of that amount of trade, from this source, at one-half per cent, on the above ascertained amount, to the credit of the probable revenue of the canal, as a very moderate estimate. One-half per cent on seven millions seven hundred and twelve thousand dollars, is thirty-eight thousand five hundred and sixty-two dollars.

This is between the ports above mentioned and Philadelphia.

But an extensive trade is carried on between the ports and places within the range of the East river navigation, and the ports and places south of the Delaware. That a large amount of this trade would pass through the Delaware and Raritan Canal, is manifest, from the considerations before mentioned ; the Delaware and Chesapeake, and Dismal Swamp Canals, &c. completing the chain of inland navigation, into the heart of the southern country ; and presenting the inducements of safety, certainty, and speed, and an exemption from insurance, equal, at least, to the tolls which would

be demanded, to the trade in question, to seek a passage through the canals, to its eastern destination.

Of the total of this trade, the committee are unable to make any definite estimate. Providence alone, so long ago as eighteen hundred and twenty-one, employed from five to six thousand tons of shipping in it constantly, or about fifty thousand tons per year. — And as her trade to Philadelphia amounts to less than one-fifth of that between Philadelphia, and the whole eastern coast, it is probable her trade with the south, is about in the same proportion. — This would swell the amount of this trade to two hundred and fifty thousand tons. And allowing that one-third only of this would pass through the canal, paying forty cents per ton only, or one cent per mile, it would furnish us with an additional item of revenue, amounting to thirty-three thousand three hundred and thirty-three dollars.

Second. The trade of the New York canals, and the central Pennsylvania canals. These may be reduced to a single head. — New York is the grand emporium of the one, and Philadelphia of the other, and although no adequate estimate can be formed, of the amount of this trade, because a great portion of it is yet to be brought into existence, by the completion of the canal systems of the two states, yet enough may be ascertained, to afford some faint idea of its immense extent and importance.

The New York and Philadelphia trade, &c ?

The revenue to the canal, from this source, may be considered by reference,

First. To the number of travellers, between these two points.

Second. To the amount of merchandize, that now passes over land, from the one to the other.

Third. To the present ascertained coasting trade ; and

Fourth. To the probable increase of trade, consequent upon a cheap, safe, and expeditious inland communication. Of these, in their order:

First. Travelling between New York and Philadelphia.

The committee have ascertained, that during the season, when the navigation of the Delaware and Raritan, are open, and unobstructed, say, for nine or ten months in the year, there are, on an average, two thousand passengers, at the very lowest estimate, between the two cities, per week. That is, eighty-six thousand, per travelling season. In the summer months, the average being much greater, and in the spring, and fall, sometimes a little less. These are carried, at the expense of from two dollars to six dollars, the minimum price being much lower than can be afforded in the present mode of conveyance by land, from the Delaware to the Raritan, and the medium price four dollars, being probably about the fair one. But by superseding the necessity of land carriage altogether, and opening a water navigation, the price would be established at a lower rate than it can now be by land, and allow a toll of half a cent per mile from each passenger. This consideration would draw to the

canal, those whose business did not require great dispatch; which would be the case with at least, one half the number, or forty-three thousand, and produce to the canal, from this source, a revenue of eight thousand six hundred dollars, without adding any thing for the probable increase of travelling, consequent upon a cheap and safe conveyance.

Second. Merchandize now transported over land?

This is a trade, which will at once flow through the canal, as soon as completed, to prove which requires neither estimates, nor a process of reasoning. The committee have taken pains to obtain as accurate an estimate of this trade as possible, from the persons engaged in it; and find it amounts to about eight thousand tons per annum, paying for transportation between the Delaware and the Raritan, and freight on the adjacent tide-waters, an average of sixty cents per hundred, or twelve dollars per ton. This trade could of course be passed through the canal, from city to city, at the same rate as is estimated for other trade, viz: One cent per ton, per mile, or at one-eighteenth of the actual expense to which it is at present subjected. Though in consequence of its frequently consisting of the most valuable articles, the heavy rate of insurance on which compels it to seek inland, instead of coastwise transportation, it would doubtless yield a much higher toll, a remark which applies indeed, with greater or less force, to all the variety of merchandize, included in the estimates the committee have made, or shall yet make. From this trade, therefore, the canal will derive another item of revenue, which if we estimate the toll at only two and a half cents per ton, per mile, would amount to the sum of eight thousand dollars.

Third. The present ascertained coasting trade?

The investigations which have been made in New York and Philadelphia, by the agent employed by his excellency, the governor, under the resolution of the last sitting, presents, upon the face of it, but a partial statement of the coasting trade between the two cities, and exhibits the minimum amount only. From these statements, it appears that the coasting trade between Philadelphia and New York, amounted to fifty-six thousand tons the past year, and from investigations made by the same gentleman in Philadelphia, it further appears that the Schuylkill coal trade to New York, and the eastern ports, is increasing to a great extent, and fully warrants the addition of forty thousand tons, as the basis of future calculations. This trade pays a freight of about one dollar and forty-four cents, to one dollar and sixty cents per ton, between Philadelphia and New York, in addition to the insurance, which averages a half per cent. on the value of the articles shipped. Estimating the rate of tolls which would be charged on these articles at forty cents, or one cent per mile through the main canal, and the freight from city to city, at twenty-one cents per ton, an allowance of freight, amply sufficient, inasmuch as the boats which would navigate a canal of the dimensions proposed, would carry one hundred and fifty

tons, the freight on which, at twenty-one cents, would be twenty-one dollars and fifty cents each way, or forty-three dollars for every voyage out and back, full cargo ; it would amount to but sixty-one cents per ton, for freight and toll by the canal being eighty-three to ninety-nine cents per ton cheaper than the present freightage, besides saving the whole insurance. This would draw to the canal the whole of its trade, beyond the possibility of a doubt. There is no room for speculation on this subject. It is impossible to be deceived. It is as certain as that the minds of men are governed by considerations of interest ; as certain as that these considerations govern the trading community ; that this trade will flow into the safest, most direct, and most sure channel, when through that channel, it can be conveyed at one third, or less than a third of the expense that would attend its passage through any other. This ninety-six thousand tons, would therefore, pass through the canal, yielding a revenue of thirty-eight thousand four hundred dollars per annum.

Fourth. Probable increase of trade ?

The distance from New York, to Philadelphia, coastwise, is three times as great, as that by the route of the proposed Delaware and Raritan Canal ; and is attended with the disadvantages of a dangerous coast, a heavy expense for insurance, and great uncertainty as to the time, within which the voyage can be made. These are difficulties more sensibly felt, and operating more extensively on the trading interests than can be readily conceived. A few facts will serve to illustrate them.

First. The ordinary rate of insurance between the two cities, in the best vessels, is one half per cent.

Now let see how this operates. Take the lowest priced articles for example, common crockery ; this costs about one hundred and seventy-three dollars per ton, and the insurance is eighty-six cents. Sheet iron costs about one hundred and seventy dollars per ton, the insurance on which is eighty-five cents. This the merchant has to pay, besides the expense of freight.

These articles, passing through the canal, would pay a toll of forty cents a ton, (or one cent per mile), and the freight, from city to city, would not exceed twenty-one cents, which would pay, as was before observed, to a boat of one hundred and fifty tons, twenty-one dollars and fifty cents each way ; and this toll and freight, would amount to but sixty one cents, being twenty-four to twenty-five cents per ton less, for the whole expense of transportation by the canal, than is now paid for the insurance, merely, of the very lowest priced articles.

On higher priced articles, the insurance is proportionably greater. On merchandize, worth one thousand dollars per ton, for example, the insurance is five dollars ; while the price of transportation, by the canal, is the same, or but a trifle more than on that of a lower price.

The price of freight between the two cities, varies from one dollar and forty-four, to one dollar and sixty cents per ton, the

average rate is probably one dollar and fifty cents ; and this whole amount, and more, would be saved entirely by the canal.

The effect of this would be, to put in motion every article, in either city, which would bring one per cent more in the other ; the cost of transportation, through the canal, being but little more than one-half per cent. ; while now no article will bear transshipment, which does not bring two to three, five, and even ten per cent. more in one city than the other. And a single glance at these two great marts of trade will, the committee believe, satisfy every one that upon these principles, the equalization of the markets would double the trade between them.

Second. But without depending upon this state of facts alone, the committee believe there is another and very important reason, upon which to found the estimate of a large increase of trade, between New York and Philadelphia, in the event of this canal being completed. The internal navigation system of Pennsylvania, has as yet scarcely operated upon the trade of her great capital. Her canals are yet to be completed ; her rich inland trade has yet to find its way to Philadelphia, whence it will seek the most advantageous market ; and if your committee should be in error, in supposing that the considerations adduced under the first head, would double the trade heretofore estimated, they believe this additional consideration fully to warrant the opinion, that the trade between these two cities would speedily be double the amount which has been estimated.

But out of abundant caution, the committee will estimate the increase of trade, from all these causes, at but fifty per cent. which would add twenty-three thousand two hundred dollars to the revenue.

Third. The next item of revenue, is from the Lehigh canal and upper Delaware trade. This, it will be necessary to consider, under their several heads ; and

First. The coal trade.

Coal is rapidly becoming the great staple article of fuel, wherever it can be obtained. And as the quantity, at the various mines, is wholly inexhaustible, which ever source can furnish the cheapest supply, will supercede the others to a great extent in the market, or at least, will be able to find a market for all it can produce.

The rate at which it can be supplied, depends upon the facilities with which it can be got to market.

The Mauch Chunk coal field, at the head of the Lehigh canal, extends from the Lehigh, to the head waters of the Swatara and is inexhaustible. There is another coal field equally large, ten miles above, and butting on the Lehigh ; and the Wyoming coal fields extending from the head waters of the Lachawand to near Berwick, may be reached by a canal or rail road, a few miles in length from the Lehigh, thirty miles above Mauch Chunk. But the present supply is from Mauch Chunk ; and this mine possesses advantages in several material respects, over every other in the country.

First. The different veins in this mine all join, rendering a single shaft sufficient ; all the other mines known, are in separate veins, requiring separate shafts.

Second. There is a natural descent from the mine to the Lehigh, over which a rail road has been made, and on which the coal descends by its own gravitation, to the boats. An advantage possessed no where else.

Third. The Lehigh Canal is owned by the company, and has water enough to fill its locks every three minutes ; and their boats, carrying one hundred and thirty to one hundred and fifty tons, are managed by the same hands as would be required by boats of twenty-five tons. These are circumstances which enable that company to get their coal afloat, as cheap, if not far cheaper, than any other.

The population north and east of the Raritan, which may be reached by, or who reside within, a few miles of water navigation, is about one million five hundred thousand. If coal was to be universally used, the estimate ordinarily made, being three-fourths of a ton to each individual, this population would require a million tons per annum. Philadelphia consumed the last year, nearly one hundred thousand tons, and the demand is constantly increasing. Pittsburg consumes sixty-five bushels to an individual ; and London, with a population of one million five hundred thousand, consumes one million nine hundred and thirty-five thousand tons per year. From these facts, we may form an estimate of what would be the demand in New York, and the eastern and northern cities.

Here, then, is an immense coal market. Would the Lehigh Company supply it, in whole, or in part ? And would that supply pass through the canal we contemplate ? These are questions, to which the committee will endeavor to furnish a satisfactory answer.

It has already appeared, that the Lehigh Company can get their coal afloat, cheaper than any other company. The question, whether they would supply the New York and eastern market, then, depends upon their relative distance from them. The only coal mine of the country, that could compete with the Lehigh Company, in the supply of the New York and eastern markets, through a different channel, is that at Carbondale, whence the coal passes through the Delaware and Hudson canal, to New York. This route is as follows :

Distance, by rail road, from Carbondale, to the canal,	16 miles.
Thence by the canal, to Kingston, on the Hudson,	106
Lockage, one thousand four hundred and thirty-one feet, equal to	71
From Kingston to New York,	100
<hr/>	
Total distance to New York, to Carbondale,	293 miles.
From Mauch Chunk, to New York, the distance is as follows :	
To the mouth of the Lehigh, by the company's canal,	55 miles.

Thence by the Delaware and Raritan Canal, to the Raritan,	90
Lockage, of say equal to	4
Thence to New York,	35
	<hr/>

Total distance from Mauch Chunk mines, to New York, by the Delaware and Raritan Canal, 184 miles.
 Making a difference of one hundred and nine miles, in favor of the Delaware and Raritan Canal route.

Nor could the Morris Canal, successfully compete with this route, for the supply of coal.

The distance from Mauch Chunk, to the Passaic, by that canal, is 131 miles.

From the Passaic to New York, 27

Lockage, one thousand six hundred and forty-four feet (computing twenty feet rise, or fall, as equal to one mile,) would be 82

Total distance, by this route, 240

Fifty-six miles further than by the Delaware and Raritan Canal.

The other coal mines in Pennsylvania, (the Schuylkill, &c.) being so situated that their nearest route to the eastern market, would also be through the contemplated canal, it is unnecessary to institute any inquiry here respecting them.

Having shown then, as the committee believe, conclusively, that the New York and eastern markets, can be supplied with the article of coal, through the medium of the proposed Delaware and Raritan Canal, with more facility than through any other, and having shown too, that the eastern market is sufficiently extensive to consume any amount, the transportation of which could be now readily contemplated; the committee observe, that the Lehigh Company have manifested a willingness to contract for the passage of one hundred thousand tons, through the canal and feeder, from their mines, alone, per year, from the first year of the completion of the canal; and this, with the other considerations, to which they have called the attention of the House, induces them to believe, they may safely add that amount of trade, as derivable from this source. This, at one cent per ton, per mile, for sixty miles, feeder and canal, would be sixty thousand dollars.

Second The next source of revenue, under this head, is to be derived from the upper Delaware trade, and that of the country through which the feeder passes.

The Delaware is navigable, for boats, one hundred and thirty miles above the Jersey line, or at a rough estimate, two hundred and fifty miles above the tide water, at Trenton; for a great part of this distance, it passes through a thickly settled, agricultural country, abounding in lumber, grain, pork, oil, &c. a considerable quantity of which would go to the New York market by the canal.

The State Convention, which met at Princeton, in eighteen hundred and twenty-seven, estimated the revenue of the canal, from this source, at thirty-five thousand dollars. Your committee are aware of the uncertainty of estimates thus formed, from data necessarily vague and indefinite. But from the combination of talent, experience, and knowledge, from which that estimate emanated; and from the corroborating facts, apparent from the face of the country, and its known trade and resources, your committee are led to believe, that by taking one-third of that estimated revenue, they keep within those bounds which they have hitherto prescribed to themselves. This would be eleven thousand six hundred and sixty-six dollars.

Third. The third, and last source of revenue under this head, to which the committee will advert, is connected with the contemplated continuation of the Lehigh navigation, to the Susquehanna; and from thence, by way of the Seneca or Cayuga lakes, to the Erie canal, and the great lakes.

A water communication already exists, between the west branch of Susquehanna and lake Erie, with short portages, and the connection of the Susquehanna with the Lehigh, will soon be effected. Thirty miles above Mauch Chunk, the waters of the latter river are upon the summit level, between that and the Susquehanna, at about ten miles distance, and the junction can be effected with the utmost ease. The spirit of enterprize is abroad in Pennsylvania, and she has already fixed her eye upon that important link, and promised its completion.

This will open to the contemplated canal, across our State, all the advantages of a revenue from a back land agricultural trade.—The immense agricultural regions of northern Pennsylvania, and southern New York, equal in richness of soil and extent of territory, to those through which the New York canals pass, will pour their products through this avenue, to the Atlantic—and as the New York canal trade yield already a revenue of eight hundred and thirty-three thousand dollars per annum to their canals; this trade, equal in extent and importance, the legitimate property of our canal, as a source of revenue, forms in the minds of the committee, a powerful inducement for its completion. But your committee leave it as a reversionary interest. They forbear introducing it into their estimates, though they could not, in justice, forbear adverting to it in these strong terms.

Passing by the central Pennsylvania canals, as connected with, and already considered under, the head of the Philadelphia and New York trade.

Fourth. We come to the fourth, and last item, upon the subject of the probable revenue of the canal, from the Delaware and the Raritan—the Chesapeake and southern trade.

The Delaware and Chesapeake Canal, which will be completed early in the spring, opens to the Delaware the trade of Maryland,

Virginia, southern Pennsylvania, and the Carolinas : to which will, in process of time, be added that of the Ohio.

This trade has been already considered, as far as the ports on the East river are concerned, and it remains to ascertain the amount of trade between the ports and places, on the Chesapeake bay, and the city of New York. This trade, so far as carried on in regularly licensed vessels, now amounts to one hundred and fifty-five thousand tons, according to the report of the agent employed by the Governor to make investigations, and pays two dollars on the average, per ton, for freight, besides insurance. This amount has been furnished, like that of the New York and Philadelphia trade, as the very minimum, and probably does not embrace two-thirds of that actually existing, when we consider that it includes Baltimore, Annapolis, Washington, Alexandria, Norfolk, Richmond, Petersburg, &c. together with the natural and artificial navigations of the bay. But taking this amount for the basis of our estimate, at one cent per ton, per mile toll, it amounts to sixty-two thousand dollars.

The committee deem it unnecessary to advance arguments, to prove that the trade of the Chesapeake bay, would pass to New York, by the canals. The same reasoning which applied to the Philadelphia and New York trade, applies, in its full force, to this ; the price of insurance is increased in proportion, at least to the extent of additional canal navigation : and it could easily be shown, that the trade of the Chesapeake would be transported by the canals to New York, at but little, if any thing, more than the rate of insurance now paid, which would save the whole amount now paid for freight.

The committee cannot close this important branch of their inquiry, without advertng to several facts, intimately connected with it.

First. They have founded all their estimate upon an uninterrupted state of peace. It was ascertained, that during the last war with England, the sum of two millions of dollars, was expended in the transportation of various articles across New Jersey, in wagons ; and a state of hostility with a maritime power would always tend to increase, to a vast extent, the revenue of the proposed canal.

Second. They have taken in all their estimates, the lowest rate of tolls ; instead of one cent per ton, per mile, most articles of transportation will bear double that amount of tolls, at least, and this would increase their estimates more than fifty per cent.

Third. They have not taken into the account at all, the local trade of the canal, which would, without a doubt, amount to a very considerable sum ; and

Fourth. In all their estimates, they have taken the lowest possible amounts of revenue ; while they have admitted, for the completion of the canal, the highest possible amount of expenditure.

But notwithstanding this, the result to which they have arrived, is as follows :—

Cost of the canal and feeder, (largest dimensions) \$1,114,741

On which the interest, per annum, at five per cent. would be,

55,737 05

Revenue from canal and feeder, derivable from :		
First.	The East river &c. trade with Philadelphia,	\$38,562
Second.	The East river &c. trade with the south &c.	33,333
Third.	New York and Philadelphia trade &c. viz.	
First.	From travellers,	8,600
Second.	Inland trade,	8,000
Third.	Coasting trade,	38,400
Fourth.	From the increase of trade &c. (fifty per cent.)	23,200
Fifth.	Lehigh and upper Delaware trade, viz :	
First.	Coal trade,	60,000
Second.	Upper Delaware &c.	11,666
Sixth.	Delaware and Chesapeake trade,	62,000

\$283,761

From which it appears, that the minimum amount of revenue, which will be received from this canal, will amount to two hundred and eighty-three thousand seven hundred and sixty-one dollars, which is more than twenty-five per cent. per annum, on the largest estimated amount of capital necessary to complete it. A revenue, which after deducting the necessary expenses of repairs, &c. would pay the interest and entirely liquidate the principal of the capital, in less than five years after its completion; leaving the State forever thereafter, in the possession of a clear yearly revenue, from this single source, of many hundred thousand dollars, to be applied as the people might direct, for their benefit.

But another immense field might be explored, in which, at every step, new evidence might be found to prove that the estimates of the committee, though in some instances they may be incorrect, as to particulars, are probably far too low, in the aggregate. It is the field of past experience on the subject of canals. The committee will crave the indulgence of the House, while they take a very brief view of it.

Our own country has but too recently embarked in internal improvements, to afford much light upon the subject, but what she does afford is highly satisfactory.

The Middlesex Canal, from Boston to the Merrimack, twenty-seven miles, was completed in one thousand eight hundred and eight, at an expense of four hundred and seventy thousand dollars. This canal though not so capacious as the one we contemplate, has twenty-two locks, and had several difficulties to overcome, which do not present themselves in our way. At the Sinking Meadows, which it crosses, the embankment, thirty rods in extent, sunk sixty feet; and near Concordia river, half a mile of the canal was made through hard granite rock, blasting seven feet deep, and fourteen to twenty rods wide. This canal yielded from tolls, in one thousand eight hundred

and eight, seven thousand dollars ; in one thousand eight hundred and nine, nine thousand dollars ; in one thousand eight hundred and ten, fourteen thousand dollars ; in one thousand eight hundred and eleven, seventeen thousand dollars ; in one thousand eight hundred and fifteen, twenty-five thousand dollars ; in one thousand eight hundred and sixteen, thirty thousand dollars ; and has now become a very profitable property. Yet this was purely an interior canal, and wholly dependent for its revenue, on its own local trade, and that of the immediate territory it intersected.

The Erie and Champlain canals, were completed at an expense of something more than ten millions of dollars. In their construction immense difficulties were overcome. They opened through new and comparatively, uncultivated countries to the lakes, the trade of which was at that time unimportant. But the tolls on these canals amounted in one thousand eight hundred and twenty-two, to forty-four thousand four hundred and eighty-eight dollars ; in one thousand eight hundred and twenty three, to one hundred and nineteen thousand nine hundred and eighty-eight dollars ; in one thousand eight hundred and twenty-four, to two hundred eighty-nine thousand three hundred and twenty dollars ; in one thousand eight hundred and twenty-five, to five hundred sixty-six thousand two hundred and seventy-nine dollars ; in one thousand eight hundred and twenty-six, to seven hundred seventy-one thousand seven hundred and eighty dollars ; in one thousand eight hundred and twenty-seven, to eight hundred fifty-nine thousand and fifty-eight dollars ; and in one thousand eight hundred and twenty-eight, to eight hundred and thirty-three thousand dollars, being a small diminution arising from the failure of crops, a cause which must always effect canals depending upon the agricultural products of a particular region ; but from which the Delaware and Raritan Canal would be free, and which would, in fact, add to its revenue, as the trade necessary to equalize the markets, in almost every section of the country, would pass through it, and a scarcity of produce in one region, would necessarily demand a corresponding supply from another.

The Schuylkill Canal is also in a highly prosperous situation.— In eighteen hundred and twenty-six, the tolls received, were but forty-three thousand, one hundred and eight dollars ; in eighteen hundred and twenty-seven, they had increased to fifty-eight thousand, one hundred and fifty-four dollars ; and last year, they amounted to eighty-seven thousand, one hundred and seventy-one dollars. Thus this small canal, in regard to all its local advantages, so infinitely inferior to the one we contemplate, already yields a revenue from its trade, that would, in a few years, pay the whole principal and interest required for the completion of that, from the Delaware to the Raritan.

These are the only instances with which the committee are acquainted, in which fair experiments have been made, in this country, of the advantages of canals ; and they have satisfied the coun-

try, wherever their effects have been seen and felt, and have produced a spirit of enterprise which promises to do honor to the Union.

But it is to the English canals we must look for examples, analogous in point of advantage of location to the canal now contemplated. She has entered into this system more extensively, purely for the purposes of trade, than any other country, and furnishes some instances of profit derived from canals, at once extraordinary and instructive. Fifteen of her canals alone, yielding an aggregate of thirty-two and a half per cent. interest, on the cost of their construction.

The committee are aware, that these fifteen English canals, have been referred to as examples in many cases, in favor of projects bearing not the slightest analogy to them in point of location; and that their favorable, and peculiar location, is the secret in which their immense prosperity is found. But the object of the committee, in referring to several of the most profitable of these canals on this occasion, is to show, that in point of location, there is a striking analogy between them and the one now contemplated.

The first of these is the Leeds and Liverpool, a canal one hundred and thirty miles in length, connecting the manufacturing city of Leeds, in Yorkshire, with the commercial city of Liverpool, and deriving some portion of its revenue from a coal trade. This canal, though it cost near three millions of dollars, yields an interest of ten per cent. on its capital stock, which has risen to two hundred and seventy-eight pounds sterling, for every one hundred pound originally invested.

The Grand Junction Canal, is one of several connecting links between the Thames navigation and the central canals of England, yields nine per cent. and the stock has risen from one hundred to two hundred and eighteen pounds sterling.

The Oxford Canal is another of the connecting links between the central English canals. It yields thirty-two per cent. on the capital invested, and the stock has risen to six hundred and forty pounds for every one hundred pound originally paid.

The Trent and Mersy Canal, unites the river Trent, in the east of England, with the river Mersy, in the west; is one hundred miles in length, yields an interest of thirty-seven and an half per cent. and the stock sells at four hundred and fifty pounds, for every one hundred pound invested.

The Erewash Canal is a short cut, about twelve miles in length, with one hundred and eighty-one feet rise and fall, connecting the Cromford and Nottingham canals with the Loughborough navigation, and yields fifty-eight per cent. interest, while its capital stock has risen to one thousand pounds sterling, for every one hundred pound originally paid.

The Loughborough Canal is also a short cut, from the Erewash Canal, to the Leicester Canal, at Loughborough, connecting those canals. Its stock now sells for two thousand four hundred pound

sterling, on every one hundred pound invested, and yields an interest on the original investment, of one hundred and nineteen per cent.

The Birmingham Canal connects the manufacturing town of that name, with the Staffordshire and Worcester Canal, at Antherly, pays eighty per cent. interest, and its stock is more than two thousand per cent. above par.

The Coventry Canal is another connecting link between the Trent and Mersy, and yields forty-four per cent. interest, with a stock nine hundred per cent. above par.

The same, or similar advantages of location, causes the Chesterfield Canal to yield eight per cent. interest; the Leicester, to yield ten per cent.; the Melton Mowbray, to yield eight and an half; the Mersy and Irewell, to yield thirty; the Warwick and Napton, to yield ten and an half; the Warwick and Birmingham, to yield eleven per cent.; the Staffordshire and Worcestershire Canal, to yield forty per cent.; and numerous other canals, to yield similar, or nearly equal revenues.

Thus it appears, that these English canals, which are so wonderfully productive of revenue; each possesses one of three peculiar advantages:

First. They connect great manufacturing and mercantile cities; or

Second. They open coal mines to a profitable market; or

Third. They form connecting links between other important canals, either of which advantages has, in every instance, secured a profitable revenue.

But in no single instance that has been named, or that can be produced, does a canal in England unite in itself, without a rival, all these several advantages.

Yet the canal proposed from the Delaware to the Raritan, does essentially unite them all; and that without the possibility of equal competition. It connects Philadelphia, rapidly becoming one of the greatest manufacturing cities in the Union, with New York, already our greatest commercial city. It opens the inexhaustible coal mines of Pennsylvania to an immense eastern market, and it connects the three great inland navigations of the north and east, with the numerous canals west of the Delaware.

If then, each of these advantages, separately, produce invariably the result we have seen; what will be their effect when they come to be all united in one single canal?

England did not commence her canal system until about the year seventeen hundred and sixty-one, when the success of the Duke of Bridgewater's Canal opened the eyes of her community. That country has now more than one hundred canals in operation, and Huerne, a writer on the subject, affirms, in a treatise on internal navigation, published in eighteen hundred and twenty-two, that "there is not a single canal (in England) which has not yielded a profit, and that almost all have surpassed the hopes of their projectors;" and the statements of Sutcliffe, who is quoted by the Edin-

burgh Encyclopedia, that in seventeen hundred and ninety-three, four and five, twenty-four millions of dollars was expended in canals in that country ; and that in the twenty-five years succeeding, the enormous additional sum of one hundred and thirty millions was laid out in the same way, seems to confirm the declaration of Mr. Huerne ; for it certainly proves the confidence of the English public in the canal system to be still unshaken. The committee will now conclude their observations on the subject of the probable revenue of the proposed canal, with a single remark in reference to the capacity of the canal to pass the amount of trade which is contemplated by their estimates.

Locks, calculated for boats of one hundred and fifty tons, require fifteen minutes for the passage of each boat, and this would be the ordinary tonnage of boats navigating the canal proposed ; at this estimate, forty-eight boats could pass per day, of twelve hours, or seven thousand two hundred tons ; which for two hundred days in the year, alone, would be one million four hundred and forty thousand tons, on which the tolls are but one per cent. per mile, per ton, would amount to five hundred and seventy-six thousand dollars—and when the accommodation of a greater trade became necessary, double locks might be constructed, at a comparatively small expense, which would, at once, double the capacity of the canal, and admit of the passage of a sufficient trade, to yield a revenue of more than a million of dollars per annum.

Fourth. The committee now proceed to the fourth head which was proposed to be considered, to wit :

The advantages independent of the matter of revenue which will accrue to the State, and to the Union, by its construction.

And first, of the advantages to the State :—under this head, the committee remark—

First. That the capital, with which this canal is to be constructed, though it will be procured by loans, chiefly from persons out of the State, will all, or very nearly all, be laid out, and expended among our own citizens. Besides giving employment to a large class of our own people, the laborers and artificers who are employed from abroad, will expend a large portion of their earnings among us. A market will be furnished, and a good market too, all along the route, for the produce of our farmers ; and in this respect, from the commencement to the completion of the work, our citizens will be benefitted, and an impulse be given to trade, and enterprize, the want of which we now so sensibly feel.

Second. Consequent upon the completion of the canal, will follow as a natural and uniform effect, an increase in the value of the soil, and in the amount of agricultural produce. Since the completion of the Erie Canal, the tract of land owned by the Holland Land Company, has yielded more in one year, to the owners, than it ever did in any period of ten years before. And when it is remembered, that a large proportion of the produce which now, passing down the Erie Canal, yields, in tolls alone, many hundred thousand dollars, is a produce entirely created by that canal, and

which would not perhaps, for centuries, have had an existence without it, we may form some faint idea of the immense benefits of a canal, to any agricultural country. England, small as is her territory, and intersected as that territory is with natural navigable streams, furnishes an example too, of this. Her agricultural wealth has, upon the authority of the best writers, been increased three-fold by her canals. And Ireland, which fifty years ago, without canals, exported produce scarcely amounting to two and a half millions of dollars, per annum, now exports seventeen millions of dollars worth of produce, every ordinary year. And, upon the authority of De Pommeuse, a French writer of celebrity, it is affirmed, that the canal of Lanquedoc, in France, adds annually to the agricultural produce of the districts through which it passes, two-thirds of the whole amount of its original cost. We might refer, also, to other instances in our own country, known and authenticated. To the effect of the Middlesex Canal, for example, on the whole extent of which, and within six miles of its shores, the price of land has increased thirty-three per cent. These are natural results, as clear and conclusive, too, to the mind, upon the common principles of reason, as they are from any examples which can be cited.—They arise from the facilities afforded, and the advantages held out, by a choice of markets, and a cheap and easy access to market. A farm, on the bay of New York, or on the shores of the North river opposite that city, is far more valuable than one of the same extent and fertility, distant many miles, in the heart of a thinly settled country—and from any part of this canal, the produce of the farmer could be conveyed to market with little less expense, and time, and difficulty, than now occurs in crossing a river or a bay. And not only would the price of our produce be increased, but the means of making our lands more productive would be connected with it. Manure, lime, ashes, and all the materials to enrich the soil, could be procured at infinitely less expense. There are many articles of produce too, which will not bear the expense of a land transportation to a distant market, and which now perish in the hands of the agriculturalist, that would, aided by a canal, find their way to the great cities, and bring a revenue to the community heretofore unknown. All this would increase the wealth and the resources of the State, while it enriched our citizens.

Third. Again.—This canal would tend to equalize the markets, producing for articles, purchased or vended, a uniformity and certainty of price. One section would not be essentially effected by the failure of crops in another; and it would open a choice of markets to our mechanics to purchase their materials, at the same time that it afforded a like choice of markets, in which to vend them.

Fourth. It would open to West Jersey an easy access to New York, for a large amount of produce now carted across the country, or sent by the coast. Thousands are expended every productive year, by Burlington county alone, for the transportation of the single article of peaches to that market; and the trade of the lower Delaware counties, which now, on its coastwise route, pay a heavy

toll to the tempests and the storms, would have at least the choice of a safer and cheaper thoroughfare.

Fifth. In fine, it would elevate the character of New Jersey ; small in territory, and now subject to the constant encroachments of her more powerful sisters. It would place in her hands a means by which she might command their respect. Holding the right of way, which all of them would be compelled to use, it would give her a power and a consequence, which she could by no other means acquire. It would, if the committee have not greatly erred in their estimates of the productiveness of this canal, also, form the basis of other important and useful internal improvements, whose immediate benefits would be disseminated throughout every country. Other canals would be created ; the natural navigations of our rivers be improved. An ample fund for the diffusion of education among all classes of our youth be reared, and our fellow citizens, instead of being burthened with taxes to defray the expense of its construction, would be wholly relieved from them by the abundance of its revenue.

But in the second place. Our duty to the Union forms another deeply interesting consideration, and we are bound, also, to examine this subject with reference to the general welfare. If the great interests of the country call for the construction of this canal, it will certainly present another and powerful consideration, in addition to all that the committee have already adduced. That the general welfare does call for the construction of this canal, the committee believe to be obvious from many reasons, among which they would name :—

First. That in time of peace it would, by bringing the great north-eastern, and south-western sections into more constant intercourse, and by increasing the dependance of one section on the other, do much to foster and preserve that union of feeling, and of sentiment, so important to the preservation of our confederacy, and the harmony of our councils. It would, in effect, bring the south and west nearer to the east and north, increase the mutual intercourse between the citizens of our extensive country, and tend to break down and destroy those geographical distinctions, which if they ever obtain a permanent existence, will be full of danger.

Second. In time of war, if we should again be unhappily involved in war with a maritime power, it will prove a most important and essential branch of our national defence ; facilitating the safe transportation of troops, munitions, and provisions, as well as commerce, from one section of the country to the other. The committee have already adverted to the fact, that two million dollars were expended, in the transportation of articles of various kinds across this State during the last contest with Great Britain ; and in this view alone, the vast consequence of this canal most forcibly and vividly appears.

Third. It will benefit the community at large, by completing that great national system of internal navigation, upon which many of the most splendid works of the kind, now completed, or in pro-

gress, were founded, and by completing the whole, render every part more important, and more valuable. This canal has long been viewed as one of national importance; it was reported as such, so long ago as eighteen hundred and eight, by Mr. Gallatin. The great Chesapeake and Ohio Canal, as will be seen by the report of the committee on the subject to Congress, in eighteen hundred and seventeen, was partly predicated upon the expectation of its completion; a work in which the United States has become deeply interested; to which the corporation of Washington has subscribed a million of dollars; those of Georgetown and Alexandria, half a million, and the state of Maryland the same amount. It is auxiliary to the Chesapeake and Delaware Canal, in which Congress has invested three hundred thousand dollars; and to the Dismal Swamp Canal, in which also the government has subscribed a large amount; and indeed it forms an essential part of all the great systems beyond the Raritan and the Delaware. It has long been expected from us, an enterprising and patriotic State, and we shall disappoint high hopes and just expectations, by refusing to construct it.

Finally. It will promote the general interests of trade throughout the country; foster the growth of domestic traffic, encourage and promote a reliance on home markets; and add to the great fund of wealth, enterprise, and prosperity, throughout the whole body politic. The operation of canal navigation upon the interests of trade, may be seen by a reference to the comparative price of canal and land transportation at a single glance; and the committee beg leave to refer to a few instances illustrative of this, upon the authority of the *Edinburg Encyclopedia*.

The price paid for the carriage of goods, in England, per ton, has been found to be as follows:

From London to Windsor, by land,	£1 10	By canal,	£0 09
Do. do. to Marlow, by do.	2 05	do.	12
Do. do. to Reading, by do.	2 10	do.	15
Do. do. to Wallingford, by do.	2 18	do.	18
Do. do. to Oxford, by do.	3 05	do.	1 02
Do. do. to Farmington, do.	4 00	do.	1 08

Total expense by land, £16 08 By canal, £5 04

Averaging but a little more than one-fourth of the price by canal navigation, than is paid by land. The increase of trade consequent upon which reduction of price, can scarcely be estimated.

But the committee hasten to a conclusion. A few promiscuous remarks, on subjects not coming within the range of the preceeding discussion, and they have done; and

First. Some difficulty may arise at first view, in regard to the contemplated use of the waters of the Delaware, for the purpose of feeding this canal. In regard to this matter, the committee remark that they apprehend this State possesses the right to appropriate the waters of that river to its own purposes, provided it does not effect, injuriously, the natural navigation; and it has been as-

certained, by the calculation of a scientific gentleman, whose statements have heretofore been received as authority, that the water necessary to supply a canal, thirty feet by four, would reduce the water of the river at the falls opposite Trenton, but one-third of an inch at low water. Consequently, a canal, sixty by eight feet, would reduce it but two-thirds of an inch. And besides, when the river is low, there is no navigation to interfere with, and when high, the water would not be sensibly diminished at all. But the committee believe, independant of these facts, that Pennsylvania is now desirous of an arrangement, for the mutual use of these waters, and that she will be the first to apply for the privilege—thus this objection is esteemed but as a shadow, and even that is about to be removed.

Second. Local objections have existed in regard to the route of the proposed canal. On this subject, the committee have abstained from remark, as far as possible, and when it has been adverted to incidentally, it was only because the committee were compelled to go to a located route for data, which that location only afforded.—The committee are desirous, that this subject should be committed to competent, and practical men—men who will wholly disregard individual wishes, and who will locate it on the best possible route, wherever that may be. They conceive, that this is a power which the Legislature must necessarily delegate to others, and that all that is necessary, is to place that power above improper influence.

Third. The dimensions of the canal have been assumed in the report, at sixty feet by eight; that of the feeder, at forty feet by five. The committee consider these dimensions as best suited to their view of the trade, and importance of the canal, consequent upon its peculiar location. The lower Delaware, East river, Hudson, Chesapeake, and Delaware navigations, seem to demand a connecting link of ample dimensions, the national interests appear to call for it, and there are other considerations which favor it. A large canal is easier navigated than a small one. On the Tonnawanta, where the Erie Canal is one hundred and fifty feet wide, by twenty deep, two horses draw a boat six miles an hour, with ease, while on the other side of the mountain ridge, where the canal is low and narrow, three horses draw it three miles an hour with difficulty. And on General Bernard's authority, it is stated that one hundred horses will perform the same work on a canal of sixty feet wide, as one hundred and twenty-one horses will perform on one forty-five feet wide, in consequence of the water, in a narrow canal collecting so much more at the bow of the boat; consequently, transportation may be done cheaper on a large than on a small canal, a consideration of deep importance in the case under contemplation.

Fourth. Opinions have been suggested in favor of a rail-road in preference to the proposed canal. A very few considerations, the committee believe, will satisfy the House of the fallacy of this idea. In the first place, the peculiar location of this canal, terminating in water navigations at both ends, and connecting immense canals, as a central link, points out clearly the necessity of a canal, and the

inutility of a rail-road ; the great argument in favor of which, is that it is uninterrupted in winter ; but a rail road would be as completely locked by the impracticability of trade, occasioned by the ice at each end, as a canal. In some locations, and for some purposes, rail-roads have their superior advantages ; in others, canals are preferable ; and this is a case of the last description. In the report of the committee of the house of representatives, to that body, in January eighteen hundred and twenty-seven, on the subject of the proposed Chesapeake and Ohio Canal, it is affirmed, that in consequence of the south latitude of that canal, it would be free from ice two months in the year, ordinarily longer than the New York canals ; upon the same principle, ours would be free from ice one month longer than those canals—this would be amply sufficient for all the useful purposes of trade, and of revenue. But again—the frost in this climate, operates as injuriously to rail-roads in effecting their foundation, as the ice does to canals in suspending their trade. Nor is the expense of canals and rail-roads materially different. The Darlington rail road, of one track only, cost thirteen thousand five hundred dollars per mile. That from Liverpool to Manchester of four tracks, cost fifty-four thousand dollars per mile ; and the average cost of a substantial rail-way in England, where they can be made at least as cheap as in this country, is twenty-two thousand dollars per mile, with two tracks, while the canal proposed at the largest contemplated size, will not cost much more than twenty thousand dollars per mile, the aggregate estimated expense of the feeder and canal being but nineteen thousand dollars per mile. And once more ; rail-roads effect a complete monopoly, while canals operate as common highways ; any farmer may keep a horse and a boat, and navigate the canal ; but an engine and waggons, calculated for a rail-road, would be too expensive for ordinary use. Those on the Darlington rail-way, cost about seven thousand dollars each, and though horse power might be used with less capital, yet it could not compete with steam power, which would, in most cases, be employed by the companies.

Fifth. That opposition has existed, and still exists to the projected canal, in the minds of some, is admitted ; but it is believed that this arises wholly from a mistaken apprehension of its effects, and the consequences likely to result from its construction, by the State. It has been urged that it would, sooner or later, involve the people in heavy taxes ; that it would bankrupt the State, and create a lien upon the property of our citizens. No idea can be more fallacious. The committee would never favor, for a moment, an enterprise productive of consequences like these. They think they have said enough to satisfy the most incredulous, that instead of creating additional burdens on the people, this measure would diminish, greatly, those which now exist ; that all its results will be beneficial, and none of them productive of evil. It has been said, that it would inundate our markets, and injure, instead of benefiting, trade. But all past experience, reason, every thing, tends to produce a different conviction. It is an easy thing for men, on these subjects, to

be mistaken. There is a record in past history, which tells us, that when the canal of Lanquedoc, in France, was in progress, the people of Circassonne, impressed with this sentiment, opposed with all their energy, and at great expense, the location of that canal in their vicinity, and that they actually succeeded in turning it away from them. But its operation on the country through which it passed, so effectually opened their eyes, that in a few years after, they procured, at infinitely greater expense than before, an alteration of its route, and brought it back to its original location, near their own doors. The Erie Canal was long and bitterly opposed—but now it has become the most popular of all the institutions and works, of the great state of New York.

In seventeen hundred and one, the English people commenced the improvement of their navigable streams; opposition was aroused, but the improvements succeeded; the nation felt their benefits, and all united in commending the wisdom that planned, and the perseverance that effected, the improvement. In seventeen hundred and sixty-one, England commenced her canal system, in opposition to greatly abounding prejudices; she has completed a more effective and extensive system than any other nation, and these have become the popular favorites. It would be a phenomenon in the moral world, were all men to be found thinking alike upon a matter of experiment; but when the experiment is made, and its benefits are seen and felt, doubt dissipates, and admiration takes the place of dissatisfaction. The height of popularity to which her canal system soon arrived, induced her to undertake and accomplish wonders. Her Thames and Severn Canal, is cut through a hill at Sapperton, four thousand three hundred yards, and two hundred and fifty feet below the summit; her Leeds and Liverpool Canal has a tunnel one thousand six hundred and thirty yards in length, eighteen feet by seventeen; the Chesterfield Canal has three tunnels, of, in all, about three thousand two hundred yards; the Cromford Canal, several tunnels, of which one alone, is cut through the base of a mountain two thousand nine hundred and sixty-six yards; and her Grand Trunk, and Grand Junction Canals, have in all, seven tunnels of ten thousand two hundred and seventy-nine yards in length. Yet these immense projects were sustained, and accomplished, and have all proved very profitable; and recently, she has commenced a canal from Solway Frith to Browness, near Carlisle, which is estimated to cost a very large amount. When therefore, we compare these difficulties, and these results, with the case now in hand, there is certainly every reason for encouragement; every motive to go forward.

Sixth. But another objection, has in days past, been current.—It has been said there is time enough; that we are gaining additional experience, and that a more favorable period will arrive. The route for the proposed canal was levelled in eighteen hundred and four, and a company incorporated to make it. It has ever since been the subject of consideration, of examination, and of occasional legislation; it is yet in embryo. In the year eighteen

hundred and three, at an obscure place, in the interior of New York, in casual conversation, the project of a canal, from Lake Erie, to the Hudson, was first suggested, by Gouverneur Morris. It is now yielding a revenue, approximating to a million of dollars per annum. We have thought about our project; New York has acted upon hers. The results are before us. To whom belongs the palm of superior wisdom? True it is, that every year sheds new light upon this subject, and that science is improving. But if New Jersey waits until time ceases to shed new light, and science pauses in her career of improvement, she will wait until the day of doom closes alike over the objection and the project. New Jersey has waited long enough. Time is money; and time is escaping! and the benefits which would accrue, are lost by the delay.—The committee therefore, believing, that the proposed canal will be of immense advantage to our citizens, to the State, and to the Union; beg leave to report a bill, authorising its construction by the State.

Which report was read, and ordered to lie on the table.

The bill entitled, An act to authorize Nathan Vail, and Randolph Dunham, administrators with the will annexed of Isaac Clark deceased, to sell and convey the real estate of said deceased,

Was read a second time, gone through with by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act authorizing the enclosure of a certain tract of land, situate in the township of Caldwell, in the county of Essex, called the "Hetfield swamp."

Which was gone through with by section, and ordered to be engrossed.

The House adjourned to ten o'clock to-morrow morning.

FRIDAY, January 16, 1829.

Ten o'clock the House met.

Mr. Hillard presented sundry petitions from inhabitants of Morris county, praying the State to loan its credit to the Morris Canal and Banking Company; and Mr. Hopper, a petition from Bergen, on the same subject.

Which petitions were referred to the committee on that subject:

Mr. Robbins presented two several petitions from inhabitants of Warren county, for an appropriation by the State, for the purpose of completing a road over the Blue mountain at the Water Gap,

Which petitions were ordered to lie on the table.

Mr. Hillard, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act for the relief of George P. Woolley.

Which bill was read, and ordered a second reading.

Mr. Pennington, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to regulate the selling, by small measure, of strong beer, wine, and spirituous liquors, within the township of Newark, in the county of Essex.

Which bill was read, ordered a second reading, and to be printed.

Mr. Evans, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to repeal certain acts therein named.

Which bill was read, and ordered a second reading,

Mr. Nevius, from the committee on the subject of the Delaware and Raritan Canal; and in pursuance of the report of yesterday,

Reported a bill entitled, An act to provide for the improvement of the internal navigation of the State.

Which bill was read, ordered a second reading, and to be printed.

The House resumed the consideration of the bill entitled, An act for the preservation of muskrat fur.

Which was considered by section, and ordered to be engrossed.

The bill entitled, An act to give to mechanics and others, a lien upon buildings erected by them, until their claims are satisfied,

Was read a second time, and postponed,

The bill entitled, An act to authorize Joshua R. Smith, and George R. Smith, executors of the last will and testament of Mary D. Smith, late of the city of Burlington, deceased, and the survivor of them, to sell and convey two certain lots of ground, and to divide the proceeds thereof among the legal heirs of the said Mary D. Smith's real estate,

Was read a second time, gone through with by section, and ordered to be engrossed.

The engrossed bill entitled, An act to authorize Nathan Vail and Randolph Dunham, administrators with the will annexed of Isaac Clark, deceased, to sell and convey the real estate of said deceased,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, An act authorizing the enclosure of a certain tract of land, situate in the township of Caldwell, in the county of Essex, called the "Hetfield swamp,"

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Black,

Messrs. Clifford,
Coles,

Messrs. Eayre,
 Emley,
 Evans,
 Ewing, (Speaker.)
 Farlee,
 J. Foster,
 N. Foster,
 Godwin,
 Hillard,
 Hopper,
 Howell,
 Jackson,
 Lloyd,
 Merkel,
 Monro,

Messrs. Nevius,
 Pennington,
 Porter,
 Potts,
 Robbins,
 Seeley,
 Snowhill,
 Stratton,
 Townsend,
 Vleit,
 Voorhees,
 Walling,
 West,
 Westervelt,
 Wurts,

Zabriskie—35.

NAYS,

Messrs. Ellis,

Messrs. Estell,

Hancock—3.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Wurts presented a petition from a number of the inhabitants of this State, in favor of a canal from Hunts' mills, along the Raritan to Amboy.

Which petition was referred to the committee on that subject.

Mr. Carson presented a memorial from sundry inhabitants of this State, against the Delaware and Raritan Canal.

Which memorial was ordered to lie on the table.

Mr. Howell presented several petitions from inhabitants of this State, in favor of the establishment of a system of common school education.

Which petitions were ordered to lie on the table.

Mr. Carson, from the committee to whom was referred the petition and remonstrance on that subject,

Reported a bill entitled, A further supplement to the act entitled, An act to incorporate a company to erect a turnpike from Bordentown to South Amboy, passed February sixteenth, one thousand eight hundred and sixteen.

Which bill was read, and ordered a second reading.

The bill entitled, An act for the relief of George P. Woolley,
Was read a second time, considered by section, and ordered to
be engrossed.

The House adjourned to ten o'clock to-morrow morning.



SATURDAY, January 17, 1829.

Ten o'clock the House met.

Mr. Porter presented the petition of certain inhabitants of the city of Camden, praying the incorporation of Camden, as a separate township.

Which petition was read, and committed to Messrs. Porter, Pennington, and Black.

Mr. Carson presented the remonstrance of sundry inhabitants of this State, against the Delaware and Raritan Canal.

Which remonstrance was ordered to lie on the table.

The Speaker laid before the House, the following report of the President and Secretary of the Milford Delaware Bridge Company :

To the Honorable the Council and

General Assembly of the State of New Jersey,

GENTLEMEN—In pursuance of the fourteenth section of An act of the Legislature of the State of New Jersey, passed the twenty-seventh day of January, eighteen hundred and fourteen, authorizing the Governor to incorporate a company, for erecting a bridge over the river Delaware, near the town of Milford. We beg leave to report to your honorable body, the following, as a correct statement of the cost, attendant upon the erection of the Milford Delaware Bridge aforesaid, and also of the receipts of toll, from the twenty-third day of November, eighteen hundred and twenty-six, to the fourth day of January, A. D. eighteen hundred and twenty-nine.

First. Amount paid for materials, architects, and laborers, in erecting said bridge, (per contract,)	\$16,000
Second. Amount paid for erecting toll house and gate,	250
Third. Amount paid for making road on the Jersey side,	468 46
Fourth. Amount paid for Moses Crawford, ferry right, &c. adjacent to said bridge,	2,000
Fifth. Incidental expenses, in the superintending and management of said bridge, to May, eighteen hundred and twenty-seven,	1,081 54

Sixth. Supposed amount for painting said bridge, which the company contemplated doing in the ensuing spring,

200

Whole amount,

\$ 20,000

Amount received from gate, after deducting all expenses, and including loss on commutations, from twenty-third November, eighteen hundred and twenty-six, to fourth January, eighteen hundred and twenty-nine,

\$ 2,702 03

Milford, January 12, 1829.

JAMES STOLL, *President.*

DANL. M. BRODHEAD, *Secretary.*

Which report was read, and ordered to lie on the table.

The engrossed bill entitled, An act for the relief of George P. Woolley,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, An act to authorize Joshua R. Smith and George R. Smith, executors of the last will and testament of Mary D. Smith, late of the city of Burlington, deceased, and the survivor of them, to sell and convey two certain lots of ground, and to divide the proceeds thereof, among the legal heirs of the said Mary D. Smith's real estate,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, An act for the preservation of muskrat fur,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Annin,
Black,
Carson,
Clifford,
Coles,
Eayre,
Emley,
Evans,
J. Foster,
N. Foster,
Hancock,
Hillard.

Messrs. Hopper,
Howell,
Jackson,
Lloyd,
Merkel,
Monro,
Nevius,
Pennington,
Porter,
Potts,
Robbins,
Shinn,

Messrs. Smith,
Stratton,
Vleit,

Messrs. Walling,
West,
Zabriskie—30.

NAYS,

Messrs. Estell,
Ewing, (Speaker.)

Messrs. Seeley,
Townsend,

Westervelt—5.

Ordered, That the Speaker sign the same,

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The bill entitled, An act for the punishment of crimes,

Was read a second time, and postponed,

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Porter, from the committee to whom was referred the petitions on that subject,

Reported a bill entitled, An act to incorporate the Camden and Amboy Rail-road and Transportation Company.

Which bill was read, and ordered a second reading.

The House resumed the consideration of the bill entitled, An act to give to mechanics and others a lien upon buildings, erected by them until their claims are satisfied.

Which was gone through with by section, and postponed,

The House took up the amendments made by the committee to the bill entitled, A supplement to the act entitled, An act to enable the owners of the tide swamps, and marshes, to improve the same, and the owners of the meadows already banked in, and held by different persons, to keep the same in good repair, passed the twenty-ninth day of November, in the year of our Lord, seventeen hundred and eighty-eight.

Which were agreed to, and the bill ordered a second reading.

The bill entitled, An act to repeal certain acts therein named,

Was read a second time, considered by section, the title so changed as to read, An act to repeal the act entitled, An act to raise money to drain the drowned lands, in the county of Sussex, passed the twenty-eight day of November, eighteen hundred and six, and the supplement thereto, passed the twenty-fifth day of November, eighteen hundred and nine, and then ordered to be engrossed.

The House adjourned to ten o'clock on Monday morning.

MONDAY, January 19, 1829.

Ten o'clock the House met.

Mr. Godwin, presented a petition from inhabitants of this State, in favor of a system of common schools.

Which was ordered to lie on the table,

Mr. Pennington, presented the petition of the chairman and secretaries of a meeting of sundry citizens of Essex and Middlesex counties, in behalf of said meeting, in favor of such an amendment of the United States Constitution, as will restrict the office of President to one term of six years.

Which petition was read, and committed to Messrs. Pennington, Potts, and Black,

Mr. Pennington, from the committee to whom was re-committed the subject of the renewal of the charters of the State Banks, at Camden, New Brunswick, Elizabeth, Newark, and Morris.

Reported, That they have carefully, and according to the best of their judgments, investigated the present situation and standing of these institutions, and required certified statements to be furnished them from each, which accompany this report, and to which the House are respectfully referred. The committee have also conversed with the officers of the respective banks, so far as they have had opportunity with committees who have attended the Legislature on that subject, and with members of the House, representing the counties and districts in which the several banks are located. The result of the examination of the statements furnished by the several banks, and the information derived from every quarter, has been a conviction on our minds, that all the institutions now proposed to be re-chartered, are in solvent circumstances, and in good and respectable standing; we could not fail to notice, that the persons in whose hands these institutions are placed, and who are entrusted with the guardianship over them, are men of high characters, well known, and occupying a large space in the public confidence; this the committee consider an important fact, and is after all, the strongest guarantee the public can have. Much more depends on the character of the persons to whom a charter is granted, than upon the nature of the restrictions embodied in the charter itself. Honest men, need no restrictions, while experience has fully shown, that all the terms that may be imposed upon fraudulent men, furnish no protection to the public. The amount of tax paid each year by these banks, to the State, is four thousand one hundred and ninety-nine dollars, which is promptly paid, and appropriated to the school fund. The whole amount of tax and bonus, paid by all the said banks since their first establishment, though it cannot be exactly ascertained, does not vary much from one hundred and twenty thousand four hundred and seventy-five dollars and sixty-five cents.

If the Legislature should refuse to renew the charters of any or all these institutions, it must be attended with great oppression to the citizens of this State. The amount of their debts which in that event, would be called for and paid, would be ruinous to many men engaged in mercantile and manufacturing business.

A considerable portion of the stock, in the many changes that have taken place, has fallen into the hands of widows and orphans, who find great convenience in being rid of the trouble, and danger of investing their funds, and in being able to calculate upon the punctual payments of interest for their support.

The stock is held principally by citizens of this State, and sells at such high prices as shows the public have confidence in it.

Being thus satisfied with the soundness of all the banks who have asked to be re-chartered, believing that they are in safe hands, and pursuing an honorable, and fair course of business, the committee consider them all entitled to the favorable consideration of the Legislature, and to be re-chartered, upon the same or similar principles, with their original charters

The committee therefore beg leave, respectfully to report the bill, without amendment.

WM. PENNINGTON,
JOSEPH JACKSON,
JOSEPH PORTER.

Trenton, January 16, 1829.

Which report, with the following accompanying documents, was ordered to lie on the table.

STATEMENT OF
STATE BANK AT NEWARK,
DECEMBER 31, 1828.

Bills discounted,	350,545 43	Capital stock,	280,000
Real estate,	10,075 67	Profit and loss,	8,807 48
Estate purchased to secure debts,	396 38	Discount received,	5,504 96
Newark Mutual Fire Insurance Comp'y,	115	Dividends unpaid,	1,002 73
Cash on hand, in spe- cie,	15,676 37	Bank notes in circu- lation,	49,978
In Notes of other banks,	9,285	Phenix Bank, New York,	8,585 91
	24,961 37	City Bank, N. York,	419 25
Mechanics' Bank, N. York,	21,331 28	Union B'k, 1,748 33	
Bank of the U. States, N. York, 1,856 99		N. J. Manufacturing and Banking Com- pany,	20
Farmers' and Mer- chants' Bank, Phi- ladelphia, 931 50		State B'k at N. Bruns- wick,	993 90
Newark Banking and Insurance Compa- ny,	33 12	Trenton Banking Co.	70 45
State Bank at Eliza- beth,	654 72	Orange B'k, 984 79	
Do. at Morris, 684 14		Washington Bank,	6 25
Paterson Bank,	1,236		12,809 08
Sussex Bank,	815 77		
	6,212 24	Charles Parker, Trea- surer, N. Jersey,	1,428 75
Contingent expenses, including tax, Jan- uary, 1829,	2,152 73	Deposits by individ- uals,	56,259 10
	415,790 10		415,790 10

C. J. GRAHAM, *Cashier.*

STATE BANK AT NEWARK.

Capital stock, held by farmers,	1,135 shares.
Do. do. do. merchants,	1,163
Do. do. do. mechanics and manufacturers,	1,419
Do. do. do. professions,	801
Do. do. do. estates & trusts,	1,546
Do. do. do. females & infants,	1,214
Do. do. do. shipholders,	200
Do. do. do. merchants retired,	522

 8,000

All of which are held in Newark and its vicinity, in New Jersey, excepting six hundred and forty-five shares, of which three hundred and twenty-one were originally purchased, or subscribed in Newark, and the parties have since removed.

There are held by the several directors, one thousand six hundred and forty-seven shares. Five of the directors only have loans from the bank, at this time amounting to two thousand seven hundred dollars, of which one thousand seven hundred dollars is on stock security; and the whole amount loaned on stock at this time, is two thousand four hundred and seventy-five dollars. Included in the amount of bills discounted, there are due and unpaid three thousand eight hundred and fifty-five dollars, in bonds bearing interest, and protested notes, two thousand five hundred and eighty-nine dollars and three cents.

From the commencement of the bank, the amount of discounted notes charged to profit and loss is two thousand two hundred and three dollars and sixty cents; of which one thousand two hundred dollars was for the note of Peter Gordon, late treasurer, and the amount of counterfeits one hundred and thirty-one dollars.

There is included in the cash on hand, in notes of foreign banks, the following, which have stopped payment, Eagle Bank, New Haven, thirteen dollars, Jersey Bank, fifty-eight dollars, Derby Bank, Conn. forty dollars, State Bank at Trenton, two dollars, Bank of Niagara, two dollars; amount one hundred and twenty-three dollars.

The sum of twenty thousand five hundred and fifty dollars has been paid by this bank, since the commencement of its charter, into the treasury of the State, for taxes, &c. and during the late war, this bank made considerable loans, (say eight thousand dollars) to the State of New Jersey, which were paid at the convenience of the Treasurer of the State. At the same time, in correspondence with the treasury of the United States; this bank was the channel through which the revenue in this quarter was received, and furnished to that department, until the establishment of the bank of the United States, and continuing a reciprocal correspondence with that institution, all which it is completely believed has been very satisfactory to those respectable parties, and calculated to give increasing confidence to the institutions of our State.

January 12, 1820.

C. J. GRAHAM, *Cashier.*

STATEMENT OF
STATE BANK AT CAMDEN, N. J.

Bills discounted, out standing,	364,952	*Capital stock,	281,300
Specie on hand,	26,605	Circulation,	98,953
Philad'a bank notes on hand,	4,380	Profit and loss,	118,338
Foreign do. do.	5,015	Discount account,	5,553
Debts due & unpaid,	116,606	Dividends unclaimed,	2,069
*Stock purchased, three hundred and five shares,	13,525	State tax to N. Jersey,	1,500
Expenses,	978	Farmers and Mechanics' Bank, Phil'a,	3,240
Real estate,	11,011	Bank of Pennsylvania,	4,130
Bonds and mortgages,	10,786	Common Bank,	485
Banking house & lot,	6,756	Smyrna Bank, Delaware,	938
Wool account,	3,011	Charles Parker, Treasurer of N. Jersey,	2,245
Bonus,	3,322	R. W. Ogden, Cash'r,	1,725
Farmers' Bank of N. Jersey,	567	Deposits,	58,404
Bank of the United States,	6,051		
Mechanics' Bank, Philadelphia,	211		
Cumberland Bank, Bridgeton,	1,861		
Salem Banking Company,	3,243		
	<hr/>		<hr/>
	578,880		578,880

*This bank pays to the State, a tax on three hundred thousand dollars, notwithstanding it reduced the capital during the year eighteen hundred and twenty-seven, to two hundred and eighty-one thousand, three hundred dollars, by the purchase of three hundred and seventy-four shares of its stock, amounting to eighteen thousand, seven hundred dollars, since which the capital has been further reduced, by the purchase of three hundred and five shares, amounting to fifteen thousand, two hundred and fifty-dollars.

State Bank at Camden, January 12, 1829.

Errors excepted.

A. McALLA, *First Auditor.*

Gloucester County, ss.

Personally appeared before me, Charles H. Ellis, one of the Justices of the Peace, in and for the county of Gloucester, R. W. Ogden, Cashier of the State Bank at Camden, who being duly affirmed, according to law, saith the within statement is just and true, to the best of his knowledge and belief.

R. W. OGDEN,

Cashier of the State Bank at Camden.

Dated Camden, N. J. affirmed before me, }
January 12, 1829, Charles H. Ellis. }

Bonus paid to the State of New Jersey, by the stockholders of the State Bank at Camden, \$25,000

Tax paid the State of New Jersey, by State Bank at Camden, as follows, viz :

1813.	April 6,	to cash paid,	800	
	Oct. 6,	to do.	1,350	2,150
1814.	April 6,	to do.	750	
	Oct. 6,	to do.	1,500	
	Dec. to	do.	750	3,000
1815.	April 6,	to do.	1,500	
	Oct. 6,	to do.	1,500	3,000
1816.	April 6,	to do.	1,500	
	Oct. 6,	to do.	1,500	3,000
1817.	April 6,	to do.	1,500	
	Oct 6,	to do.	1,500	3,000
1818.	April 6,	to do.	1,500	
	Oct. 6,	to do.	1,500	3,000
1819.	April 6,	to do.	1,500	
	Oct. 6,	to do.	1,500	3,000
1820.	April 6,	to do.	1,500	
	Oct. 6,	to do.	1,500	3,000
1821.	April 6,	to do.	1,500	
	Oct. 6,	to do.	1,500	3,000
1822.	April 6,	to do.	1,500	
	Oct. 6,	to do.	1,500	3,000
1823.	April 6,	to do.	1,500	
	Oct. 6,	to do.	782	87 2,282 87
1824.	April 6,	to do.	750	
	Oct 6,	to do.	750	1,500
1825.	April 6,	to do.	750	
	Oct. 6,	to do.	750	1,500
1826.	April 6,	to do.	750	
	Oct. 6,	to do.	750	1,500
1827.	April 6,	to do.	750	
	Oct. 6,	to do,	750	1,500

Amount of tax paid State of New Jersey, \$37,432 87

Am't of bonus & tax paid by State Bank, at Camden, \$62,432 87

STATEMENT OF THE AFFAIRS OF THE
STATE BANK AT ELIZABETH.
JANUARY 8, 1829.

Bills and notes dis- counted,	186,582	34	Capital stock,	132,550
Banking house and lot,	14,776		Profit and loss,	2,678 24
Real estate for secur- ing debts,	2,668	51	Dividends unpaid,	355
Stock in Morris Turn- pike Company,	1,082	50	Due to other banks,	7,470
Bank note plates and bank paper,	811		Notes in circulation,	49,834
Notes of other banks,	1,441	15	Deposits,	39,814 04
Specie in the vault,	9,832	32		
Specie in Merchants Bank,	15,507	46		
	232,701	28		\$232,701 28

JAMES CRANE, *Cashier.*

State Bank at Elizabeth, January 7, 1829.

New Jersey, ss.

Personally appeared before me, this ninth day of January, eight-
 een hundred and twenty-nine, James Crane, who on his oath says,
 that the above account is, to the best of his knowledge and belief,
 just and true.

SHEPHERD KOLLOCK, Justice, &c.

STATEMENT OF THE
STATE BANK AT MORRIS.
JANUARY 5, 1829.

In bills discounted,	138,461 72	To the credit of capital stock,	100,000
Do bonds and mortgages,	11,377 88	Do. do. profit and loss,	5,206 62
Do. real estate,	8,903 52	Do. do. discount received,	2,177 80
Do. bank stock,	6,298	Do. do. individuals,	23,571 77
Do. the North River Bank, N. Y.	15,545 56	Office notes on hand,	100,185
Do. office notes,	100,185	Do. do. in circulation,	53,256
Do. notes of other banks,	1,251		<hr/> 153,441
Do. specie,	2,374 51		
	<hr/> 284,397 19		<hr/> 284,397 19

The above is a true copy of the statement of the State Bank at Morris, as laid before the board of directors, on the fifth January eighteen hundred and twenty-nine.
Morristown.

JAMES WOOD, *Cashier.*

THIS ESTATE OF THE
STATE BANK AT NEW BRUNSWICK.
JANUARY 12, 1829.

Dr.			Cr.			
To capital stock,	71,984		By specie in vault, and on special loan in New York,	29,178	88	
Profit and loss,			Do. foreign bank notes on hand,	7,812		
	4,852	56	Due from the Man- hattan Company,	24,054	10	
Discounts received,	2,308	52	Do. Schuylkill bank,	9,008	49	
		7,161	Do. Trenton Banking Company,	6,092	28	
Due banks,		535	Do. other banks,	5,708	09	
Dividends unpaid,	1,421	37			44,862	96
Office notes in circu- lation,	122,778		Funds,	81,883	84	
Due depositors.	37,892	67	Bills discounted,	112,866	04	
			Bonds & mortgages,	21,253	99	
					134,120	03
			Real estate, includ- ing banking house,	24,501	81	
			Contingent expenses,	1,266	72	

We certify the above to be a true statement from the books of this bank.

M. S. CLARK, *Book Keeper.*
D. W. DESBOROUGH, *Cashier.*

The bill entitled, An act for the punishment of crimes,
Was called up, and committed to Messrs. Carson, Pennington,
Potts, Stratton, and Seeley.

The Speaker laid before the House, the following communication
from his Excellency the Governor.

COUNCIL CHAMBER,
January 19, 1829.

SIR,—I will thank you to lay before the House, over which you
have the honour to preside, the accompanying communication and
papers.

I am with the greatest respect,
your most obedient servant,
I. H. WILLIAMSON.

HON. W. B. EWING,
Speaker of the House of Assembly,

EXECUTIVE DEPARTMENT,
Trenton, January 19, 1829.

*Gentlemen of the Legislative Council,
and of the House of Assembly.*

I lay before you a joint resolution of the senate and house of
representatives of the commonwealth of Pennsylvania, authorizing
the board of canal commissioners of that commonwealth, to enter
into an amicable arrangement with the State of New Jersey, or her
commissioners, duly authorized, for the use of the waters of the
Delaware river, in the construction of such canals as may have been
at the time of passing the resolution, undertaken or contemplated in
behalf of the respective states.

As the state of Pennsylvania has actually commenced the con-
struction of a navigable canal along the Delaware from Bristol to
the Lehigh; and New Jersey has it in contemplation to make one
to connect the waters of the Delaware with those of the Raritan,
both of which, when made, must be principally supplied with water
from the river Delaware or its tributary streams; it is very desi-
rable that an amicable arrangement should be entered into between
the two states, respecting the use of those waters by them respec-
tively.

But I respectfully suggest for the consideration of the Legislature,
whether it is not advisable, that the negotiation for an arrangement
should be extended to other objects besides the two canals; and
particularly, so as to include the use of those waters, for all milling
and manufacturing purposes, by which the mutual interest of the
respective states may be promoted.

In order to comply as speedily and effectually as possible, with
the joint resolution of the Council and House of Assembly, passed
at your late sitting, authorizing and requiring the Governor of this
State, to take measures for obtaining an accurate estimate of the
quantity of merchandize, and produce of all sorts that constitute the
coasting and inland trade between the cities of New York and Phila-
delphia, and the ports and places upon the waters of the Chesapeake,

I employed for that purpose, John N. Simpson Esq. a gentleman well qualified for the service, who has discharged his undertaking to my entire satisfaction ; and his report accompanies this communication.

Much difficulty was found to exist in obtaining an accurate estimate of the actual amount of merchandize and produce, which annually pass between the ports and places mentioned in the resolution, and Mr. Simpson has had but a short time to prosecute his enquiries ; but by his diligence and attention to the subject, he has collected much valuable information ; for a considerable part of which we are indebted to the corporation of the city of New York, who with that promptness and liberality, for which that enlightened body has been uniformly distinguished in promoting great public improvement, employed an agent at their own expense, to collect, in the most authentic manner, the information requested in relation to the coasting trade between the port of New York, and the ports on the Delaware river, and also in relation to the trade between New York, and the ports on the Chesapeake bay ; the report of their agent with the report of the committee in common council, together with the letter of the mayor communicating the same, are among the accompanying papers.

And it gives me great satisfaction to be able to add, that the estimate of the annual amount of tonnage which passes coastwise, and inland, between the ports and places mentioned in your resolution, appears fully to justify the belief, that the time is arrived, when a navigable canal to connect the tide waters of the river Delaware, with those of the Raritan, may be safely undertaken at the expense and for the benefit of the State, with the greatest prospect of emolument; and I recommend the subject to your serious consideration, as highly deserving the immediate attention of an enlightened and patriotic Legislature.

A laudable spirit of public enterprise, in facilitating internal intercourse by means of navigable canals and railways, now pervades our country : canals are made or are in progress, on every side of us ; and public expectation is anxiously looking for some decisive step to be taken by the Legislature of New Jersey, for the execution of this long contemplated, and highly important link in the chain of inland navigation ; a work, not only of great importance to the State, but to the nation.

To the State, such a canal cannot fail to be of immense advantage. Its influence and its benefits would not be confined to its immediate neighbourhood, but would be felt in every part of the State ; and greatly increase her importance in the Union.

The position of New Jersey being in the line of the internal commerce of the Union; and between the cities of New York and Philadelphia, a navigable canal through the State, from the Raritan to the Delaware, would open an inland navigation between those two great commercial cities, and the adjacent waters ; which for cheapness, safety, and expedition, would have such a decided preference

to the uncertain and dangerous passage coastwise, as cannot fail to make it the great channel of commercial intercourse ; and to draw through it a greater annual amount of tonnage than any other canal, which can be constructed in the United States, for the same amount of capital.

There is therefore abundant reason to believe, that if New Jersey avails herself of her local advantages, and constructs the proposed canal ; she will thereby greatly promote the public good, and, at the same time, secure to herself, at no very distant day, a considerable revenue, which will be principally collected from citizens of other states, who will most cheerfully pay the same, as a recompense for the facility of transportation afforded them. And as the transportation through this channel of communication must continue to increase with the population, wealth and trade of the country ; the profits of the canal must increase, and no doubt can be reasonably entertained, would eventually greatly add to the wealth and resources of the State. But then, to secure to the State all the advantages which may be derived from the canal, and even to prevent, for some time to come, the danger of loss to the State, from incurring the expense of making it, I consider it essentially necessary, that the transportation business between the Raritan and the Delaware, should be preserved under the exclusive control of the Legislature, and that no competition from any chartered company, by which the amount of tolls may be diminished, should be permitted—at least, until both the productiveness of the canal, and the actual expense of constructing it, be fully ascertained ; when the surplus profits, after paying the interest of the canal debt, and every contingent expense for repairs, superintendants, &c. may, if not reserved as a sinking fund to extinguish the debt, be expended in the construction of other canals or railways, or for such other purposes as will best promote the interest of the State.

Regarding this great work as a State object, and to be undertaken for the benefit and advantage of the State at large, sound policy dictates that great caution should be used to have the canal located on the best possible route, and made of sufficient capacity to avoid the interruption and expense of any necessary transshipment between the cities of New York and Philadelphia, which would greatly lessen its general utility and productiveness.

There can be no doubt of the practicability of the measure within moderate limits of expenditure—nor that the State has ample means by the use of its credit, and without recourse to any increase of taxes to defray the expenses of the undertaking. But as it is a work of great national importance, both in a commercial and military point of view, it may reasonably be expected that the State may obtain, if desired, pecuniary aid from the general government ; and should the Legislature deem it expedient at this time, to go into the measure, I respectfully recommend, that an application be made to the general government to subscribe for the one-third part of the capital stock, with liberty to the State, after a limited time, to purchase the

same, by paying the amount advanced, and making good the interest thereon, if the dividends received should not have been equivalent to the legal rate of interest ; or for such other aid as the Legislature, in their wisdom, shall consider most advantageous to the State.

I also transmit to you, at the request of the executive of the state of Georgia, a report and resolutions of the legislature of that state, on the resolutions of South Carolina and Ohio.

ISAAC H. WILLIAMSON.



To his excellency Isaac H. Williamson, Governor, &c. of the State of New Jersey:

The undersigned, as agent appointed by your excellency to collect the information required by the Legislature, in their resolution of the eleventh of November last respectfully

Reports, That shortly after the receipt of your excellency's letter of the twentieth of November, conferring on him the appointment, with a copy of the resolution, he repaired to the city of New York, and after separate conferences with the mayor, recorder, and a number of the aldermen, to explain to them the objects of the resolution, and the importance of obtaining the information desired, not only from the most authentic sources, but through the medium of the highest official channels ; he presented a petition to the common council, with a copy of your excellency's letter, and of the resolution, praying them to cause the necessary examinations to be made, and to furnish the information sought, as to the amount of the coasting trade, between New York and the Delaware river and bay, and the Chesapeake bay. The board at their next meeting, promptly acted upon the application, by the appointment of a special committee for the purpose. A few days after, he obtained a conference with the committee, as to the best mode and means to be used, to obtain the object, and with the least possible delay ; and when they determined to apply at the next meeting of the common council, for an appropriation of money, to enable them to employ a competent agent, who should appropriate his whole time and attention to the business, and proceed forthwith to make the requisite examinations. This application was made, and a hundred and fifty dollars voted for the purpose. The committee then employed Mr. John I. Boyd, a gentleman of activity, intelligence, and great industry, familiar with shipping concerns, and extensively acquainted over the city, to collect and arrange the desired information. Mr. Boyd immediately resorted to the best sources of information, went through a series of tedious and laborious investigations, submitted the result to the committee, and they, on the fifth instant, made their report to the common council ; a copy of which has just been received from his honour the mayor of the city, which is herewith transmitted.

Early in December, your agent addressed a letter to the comptroller of the state of New York, at Albany, desiring him to furnish and transmit by mail, the information sought, in reference to the

Erie Canal, with several additional enquiries, calculated to throw light on the subject of the Delaware and Raritan Canal, but has not yet received the desired documents. A letter, however, has just come to hand, from him, saying, that their canals having this year remained open and unobstructed by ice to a later period than usual, the returns had only just been received ; that the whole amount of tolls collected would shortly be ascertained, and in three or four days all the information asked, which was in his power to give, should be forwarded.

Understanding that much useful information had been collected in Philadelphia, about a year since, under the direction of the chamber of commerce, in reference to the extent and value of the coasting trade of that city, to show the necessity of the proposed breakwater, at the capes of the Delaware; your agent repaired thither in search of it, presuming that it might shed additional light on the Delaware and Raritan Canal. In pursuit of the object, he called on R. G. Rakston, Esq. who had been secretary to the breakwater committee of the chamber of commerce, and who politely furnished him with a pamphlet, published in February last, by order of that intelligent and respectable body, containing various reports, communications and estimates; which, although prepared for another purpose, will, upon examination, be found to contain some very valuable information, in regard to the proposed canal. A copy of this pamphlet is herewith transmitted, by an examination of which, it will be seen, that the coasting trade of Philadelphia, in eighteen hundred and twenty-seven, including the value of the vessels, and their cargoes, which were regularly employed in it only, amounted to twenty-seven millions, eight hundred and ninety-five thousand dollars ; and that what was carried on in transient vessels, was estimated to amount, probably, to twenty millions more ; making an aggregate of forty-seven millions, eight hundred and ninety-five thousand dollars. And it also appears, that of this great amount, two millions and ninety thousand dollars were in the coal trade. Were only half of this aggregate amount to pass through the proposed canal, and pay a toll equal to the insurance coastwise, which through such communication would be saved, it alone, would yield from ten to fifteen per cent. on the capital required for its construction, and that such proportion would pass inland, is very obvious from the fact, that between New York and Philadelphia, the distance by the canal, will be fully two-thirds less than by sea, and that three trips may be made in the time of one, with a much smaller number of hands, and much less expense for wages and board. The same remark will apply with nearly equal force, between New York and Baltimore, and other ports on and around the Chesapeake bay. The average time of the trips coastwise, between New York and Philadelphia, from port to port and back, including the time for discharging and re-loading, is about three weeks. Through a canal of proper dimensions, barges to carry as much as the ordinary coasting craft ; to be towed by the steam boats, on the intermediate tide waters, and by horse power, on the

canal, could make a trip to and from port to port, in one week, and with a much smaller number of hands, and consequently a great saving of expense. From these considerations, the difference in favor of a canal is immense, and would very soon be appreciated.

But to form a proper estimate of the importance of the Delaware and Raritan Canal, in facilitating international commerce, and the immense revenue it must eventually produce, from uniting so many and such extensive ramifications of canal and river navigations, on each side of New Jersey, we must look forward a little, to the completion of the Pennsylvania canals, the Chesapeake and Ohio Canal, and the Baltimore and Ohio Rail Road. Whenever all these great improvements shall be finished, the Delaware and Raritan Canal, cannot fail to draw through it, the productions of a greater extent of country than any other in the known world. These improvements will presently open to it not only the vast magazines of coal, and other mineral treasures of Pennsylvania, but the various productions, both of the Atlantic and of the western states. This is no visionary speculation; it is founded in the plainest dictates of reason; is in perfect co-incidence with the lessons of experience, and is the sober deductions of common sense. Let any man of sound reflection, look forward fifty or an hundred years, and calculate what must then be the population, and the agricultural, commercial, and manufacturing resources of these United States; and he cannot fail to discover in this canal, not only a mine of wealth to New Jersey, but a political engine of the greatest value and importance, by which she may, at all times, and under every emergency, which may, in the course of time and events arise, command the respect of all her sister states. And however men, who take one sided, and partial views of the subject, may now hesitate and doubt as to the policy of the measure; let it only be carried into effect, and the day is not very remote, when every unprejudiced mind will see it as clearly as if written with a sun-beam; for there is good reason to believe, it will not require above twelve or fifteen years at most, and very probably a considerably shorter period, for the tolls to reimburse the State from the entire expense of its construction.

This course of reasoning, it is believed, is fully sustained by the following extracts from the report of the committee of commerce, directed to inquire into the expediency of erecting a breakwater or artificial harbor, at the mouth of the Delaware, submitted to congress on the 5th of Feb. last, and may be seen and consulted in the Philadelphia pamphlet referred to. In order to shew the very rapid extension of the coasting trade of Philadelphia, from the developement of the Pennsylvania coal mines, the committee gives the entire amount of the shipments of Lehigh coal from Philadelphia, from eighteen hundred and twenty-two, when the first was made, to eighteen hundred and twenty-seven, both inclusive. They do not give the shipments of Schuylkill coal, it not having been received in season; but at the close of the pamphlet it is published, and appears to be increasing

faster than the export of that from the Lehigh. The export of Lehigh coal from Philadelphia, from eighteen hundred and twenty-two, to eighteen hundred and twenty seven, inclusive, augmented from seventy three tons to thirteen thousand, the Schuylkill from five thousand tons in eighteen hundred and twenty five, to twenty-one thousand and four in eighteen hundred and twenty-seven. The export of Lehigh coal, during eighteen hundred and twenty eight, as will appear by the communication from Jonathan Fell, esq the president of the company, and is herewith transmitted, was twenty-one thousand eight hundred tons. The shipments from the Schuylkill for the past year, the undersigned has not been able to procure, but from the ratio of increase for the preceeding three years, it must last year have exceeded forty thousand tons ; and as it is more extensively used for family purposes in New York, than the Lehigh coal, this quantity may be assumed as coming quite within the range of probability, and shows a much greater amount of this one article going out of the Delaware bay, than the whole export trade from it to New York, in every commodity as given by the corporation of the city of New York, and proves that their estimate of the coasting trade between New York, the Delaware river and bay, and the Chesapeake bay, is much more likely to be below the reality, than beyond it ; and may therefore be received as very safe data upon which to conclude.

In speaking of the Lehigh coal, the committee of Congress, in their report referred to, say, that in the course of about sixteen or eighteen months, the company expect to have an ascending navigation completed, which they are now carrying on with great vigor. When they shall have completed their up and down navigation, they expect (continue the committee) to be able to carry down to Philadelphia one hundred thousand tons of coal annually. But, say the committee, what will give a new and efficient impulse to the coal trade, is that within the last month, the Union Canal, uniting the waters of the Susquehanna with the Schuylkill, has been completed, and that coal from the former, had already began to flow through it to Philadelphia. They speak of the coal on the Susquehanna, as not only superabundant, but of superior quality, and of very easy access; and represent, that according to the present ratio of increase of the quantity raised, and of consumption, in five years, one million of tons per annum, may be expected to be forwarded to Philadelphia, from the Susquehanna, Schuylkill, and the Lehigh.

If this should be realized, it is quite obvious, that Philadelphia will be abundantly supplied from the Susquehanna and the Schuylkill, and that the best and most profitable market for the Lehigh, will be the city of New York, as soon as the Delaware and Raritan Canal shall have been constructed. Here then, is a most copious and durable source of income to this canal, as soon as it can be constructed, and will probably go on from year to year, to augment for ages to come. Were this the only source of support, it would fully justify the construction of this canal, for the toll would presently re-

pay the interest of the cost of it. But it is quite probable, that from its peculiarly favorable location, on which ever of the proposed routes the site may ultimately be fixed, this would not constitute above a third part of the tonnage of what would pass through it, and on many other articles the toll would be much higher. It is impossible to calculate with mathematical precision, what amount of tolls this canal from all its different sources of income, may on its completion produce; but it is presumed, the following statement will be fully realized:

Say then that the canal and feeder will be sixty miles in length, and that one hundred thousand tons of coal, from the Lehigh, to pay only a cent. a ton per mile, shall yearly pass through it, will give

\$ 60,000

From the great facility of communication, which this, and the Chesapeake and Delaware Canal, (now nearly finished) will afford, between New York, Philadelphia, Baltimore, and other ports on the Chesapeake bay, the intercourse will be immensely increased; for a very small variation in the price of any article, in any of these markets, would cause shipments through these canals, where insurance would be unnecessary, and certainty of time could be calculated on, so that the estimated amount of the coasting trade, between New York, the Delaware river and bay, and the Chesapeake bay, as now furnished by the corporation of that city, namely, two hundred and eleven thousand tons, may safely be assumed as the minimum on which toll would be collected; to which must be added, what now passes inland, say ten thousand tons more, making an aggregate of two hundred and twenty-one thousand tons, to pass through the canal, and pay a cent and a half a ton per mile, or sixty cents per ton through, will give

133,200

The toll on the transit of passengers, from the very cheap, easy, and comfortable manner they may, through the canal, be conveyed from city to city, will in a little time, be a considerable source of income. Upwards of eighty thousand passengers, in the steam boats and stages, have passed between New York and Philadelphia, during the past year, and will probably be greatly, if not quite doubled, when this cheap and very convenient mode of conveyance shall be afforded, and it is believed, may safely be set down at

20,000

The lumber, grain, flour, with various other articles of agricultural produce, and manufactures, which will pass through both feeder and canal, from each side of the Delaware above; from the transit of merchandize carried back, and from the lime, marl, and other manures, with the wood, timber, stone, brick, and other

articles, to be shipped on the line of the canal, which would presently be set in motion, may, it is presumed, be estimated at a like sum of

20,000

Making a sum total of annual toll of

\$233,200

It is worthy of remark, that on all the canals yet completed in the United States, which have been any considerable time in operation, there has been a great annual increase in the amount of tolls collected upon them. The annual increase of tolls on the Erie and Champlain canals, for the first three years, was about one hundred per cent. and for the next three years, nearly fifty per cent. ; and it is not easy to find a location for a canal, more likely to produce similar results than that between the Delaware and the Raritan ; nor can one be found where nature has more completely excluded a rival. It is also worthy of particular notice, that nearly, if not all the canals of Great Britain, constructed to facilitate the coal trade, where the supply of water has been sufficient, has proven highly productive ; and that the stock of some of her canals, connecting places of much less importance than New York and Philadelphia, has risen four, five, and six hundred per cent. with dividends in proportion. From all these considerations, it is confidently believed, that no enterprize in the United States, can hold out a surer prospect of profitable investment

With regard to the probable expense of constructing this canal, it will depend on the capacity of which it shall be made, and the line of its location ; whether being of easy excavation, and free from physical obstruction or otherwise. On one at least of the several routes, which have, from time to time, and from different quarters been proposed ; from the remarkable facilities it affords, and its freedom from difficulties, the expense by a competent engineer, may be estimated with as much precision as the construction of a church, a dwelling house, or any other edifice. And it is worthy of notice, that from the experience which has been had in the neighboring states in the science of canal making ; the multiplied number of contractors, and the competition which now exists, wherever proposals for contracts are invited, the expense of any part of the work has been greatly reduced ; insomuch, that it is believed the canal in question, may now be effected at a reduction of perhaps twenty-five per cent. below what it would have cost three or four years since.

As to the capacity of which the canal ought to be made, it is very obvious, that from its peculiarly favorable locality for drawing through it a greater amount of intercourse than any other canal in the United States, it should be constructed of sufficient dimensions to embrace it. Perhaps fifty-five or sixty feet wide, on the water line, and to have six feet depth of water would be sufficient ; and such canal, on at least one of the proposed routes, may now be accomplished for, not exceeding one million of dollars, and probably considerably less. This sum the State may readily borrow, as it

may be required, at an interest of five per cent. reimbursable at a distant period, and obtain a premium on the stock, perhaps sufficient to pay the interest while the work is in progress, so that the canal can readily be accomplished, without imposing an additional cent of tax upon the State. And when the work shall be done, and its effects realized, it may with great confidence be anticipated, that all will rejoice in the wisdom and providence of the measure.

All which is respectfully submitted.

J. N. SIMPSON.



Report of the special committee of the common council of New York, on the communication from the Governor of New Jersey, made January 5, 1829.

The special committee, to whom was referred a communication from the Governor of the State of New Jersey, requesting information, in relation to the coasting trade between the port of New York, and the ports on the Delaware river, and also in relation to the trade between New York and the ports on the Chesapeake bay,

Report, That the information being asked for, in reference to the construction of a canal, between the Hudson and Delaware, usually called the Raritan Canal, your committee has given the subject the consideration which great national improvements should always excite.

Your committee found it difficult to obtain the information required, with that accuracy which is particularly desirable on statistical subjects, and this difficulty has mainly arisen from coasting vessels, not being required (excepting under particular circumstances,) to clear out or enter at the custom house. With this embarrassment in the way of procuring information from the custom house, your committee was driven to employ an agent, and they engaged Mr. John I. Boyd, of the house of Crassons and Boyd, to collect, in the most authentic possible manner, the information required.

By the communication to your committee, from the agent referred to, (which is annexed to this report,) and which your committee think may be relied upon, it appears that the tonnage engaged in the coasting trade, from New York to Philadelphia, during the last year, and actually filled and occupied, was eighteen thousand tons; that the tonnage in like manner, filled and occupied, passing from New York to the Chesapeake, amounted to fifty-five thousand tons; and that the tonnage so filled and occupied, passing from Philadelphia to New York, amounted to thirty-eight thousand tons; while that from the Chesapeake to New York, amounted to one hundred thousand tons, making the aggregate of merchandize, passing annually, between Philadelphia and New York, fifty-six thousand tons; and that between the Chesa-

peake and New York one hundred and fifty-five thousand tons; and the total amount passing between New York, and both the Chesapeake and Delaware, two hundred and eleven thousand tons. The above is exclusive of merchandise carried over land, and does not of course include any of the produce of New Jersey.

Your committee cannot conclude their report, without expressing the interest which they feel in the undertaking, and their wishes for a speedy and successful completion of the Raritan Canal. To say that our own city is deeply interested in this undertaking, is but to say what all would admit. To say that it is a great national improvement, no one will deny, for the Chesapeake and Delaware Canals being complete, this canal will afford to Virginia, and all the states north of it, to Massachusetts, an inland water navigation, more secure than the outward passage, and between some points, the most convenient, even in time of peace, while it will afford to them the only coasting navigation, which in times of war with any great naval power, they can expect to enjoy for some years yet to come.

As a means of defence; we must compare the transportation of cannon and munitions of war, by teams, over the roads in the southern states, and through New Jersey, with the facilities this canal would afford of transporting them by water from any of the ports of the Chesapeake to Philadelphia, through the Chesapeake and Delaware Canal, and thence to New York, through the Delaware and Raritan Canal, and thence to New England through the Sound, making in all an inland navigation on the Atlantic border, of about five hundred miles.

To the Pennsylvanians, the proposed canal would furnish another ship harbour and market, nearer than her own to the ocean, and always accessible from the sea. -

To our neighbours of New Jersey, the proposed canal cannot fail to be highly advantageous. It would open a cheap and convenient transportation for the agricultural productions of the part of the State through which it will pass, and particularly for the vegetables, fruits, butter, and meats, for which our markets are so extensively indebted to her. In addition to these advantages, your committee cannot doubt that the canal will be a source of revenue to that State, and that it will not fail to add to her relative consequence and importance with her neighbouring states.

The only possible feature of objection to the construction of a canal, so vital to the interests of several states, is the fact, that its concerns will be placed exclusively under the management and controul of a company, or at best, of a single state, and thus the trade and navigation of many states, will become tributary to the tolls and exactions which a company or an individual state may think fit to enforce. But this is an evil not susceptible of remedy, and all we can hope for is, that the State of New Jersey, will retain the monopoly of this water navigation, rather than grant it to any company of individuals.

Your committee offer the following resolution:

Resolved, That his honor the mayor communicate to the Governor of the State of New Jersey, in reply to his communication, the whole, or such parts of the above report and letter from Mr. John I. Boyd, as he may deem expedient.

All which is submitted.

SAMUEL STEVENS,
WILLIAM S. COE,
WILLIAM W. MOTT.



LETTER TO S. STEVENS, Esq.

Chairman of the Committee of the Corporation.

NEW YORK, *December 30th*, 1828.

SIR,—By your letter of the twelfth instant, you direct me to ascertain “the entire amount of the tonnage of all goods, wares, merchandise and produce, which passes annually between the city of New York, and all ports and places on the Delaware river and bay, and the average price per ton coastwise, between Philadelphia and New York; and also between said city of New York, and all ports and places on and around the Chesapeake bay.”

Vessels licensed for the coasting trade are required to enter or clear at the custom house only, when they have on board of foreign merchandise, an “aggregate value of eight hundred dollars.” Such as have goods of domestic origin solely, neither enter nor clear. No full record can thus be found at the custom house of the trade—nor am I aware of any mode that could be adopted to procure, without much delay, a full statement of the entire tonnage employed in the trade referred to. Under such circumstances, I can but present to you, a statement compiled from the best data obtainable, to exhibit the minimum amount of the tonnage fully employed, and which I am convinced will be found correct.

From the register kept in the naval office, of the vessels that have cleared for the ports embraced in the inquiry, between the fifteenth of December, one thousand eight hundred and twenty-seven, and the fifteenth instant; it appears that the licensed tonnage to Philadelphia, (no clearance appearing for other ports or places on the Delaware bay,) was sixteen thousand five hundred and eight tons; and that to Richmond, Petersburg, Norfolk, Baltimore, and other ports and places, on the Chesapeake bay, was sixteen thousand five hundred and eight tons; without comprising the merchandise transported across the State of New Jersey, of which a correct detail can only be had in that State, or the property of which no great amount can have gone by registered vessels.

Some of the vessels thus cleared, went with foreign merchandise of no greater amount than was required for ballast ; but as the regular traders generally carry deck loads, it is presumed that this was an equivalent.

Making a fair allowance for such vessels as may have sailed with a loading of domestic produce only, I assume it as correct, that the licensed tonnage actually filled, or fully occupied in the coasting trade, to Philadelphia, and ports and places on the Delaware bay, was	18,000 tons.
And that to ports and places on the Chesapeake bay, was	55,000

Thus from New York,	73,000 tons.
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Much of the trade to New York is in flour, grain, and coal, and I believe, that an estimate of the tonnage, thus employed for the year, would be a moderate one, if taken for Philadelphia, and ports and places on the Delaware bay, as

as	38,000
And the Chesapeake bay, as	100,000

To New York,	138,000
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Making a total of licensed tonnage, of for the year, considered as fully filled or occupied.	211,000 tons.
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The standard from which freights are graduated in the trade, is the bulk of a flour barrel. The capacity of the licensed tonnage, above specified, would be equal to one million, six hundred and eighty-eight thousand barrels. The average price of freight to

Philadelphia, is	18 a 20 per barrel.
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Baltimore,	25
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These estimates are not presented as perfectly correct, but as approaching as near the fact, as it is practicable to bring them.

I have the honor to be, sir, your humble servant,

J. I. BOYD.

Which communication, with the accompanying documents were read, and ordered to lie on the table.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Coles presented the petition of the chairman and secretaries, in behalf of a numerous meeting of the inhabitants of Middlesex and Essex counties, praying the formation of a new county, to be called Franklin, to be composed of parts of the counties of Middlesex, Essex, and Somerset.

Which petition was read, and ordered to lie on the table.

Mr. Nevius presented the petition of a number of the citizens of the counties of Somerset and Middlesex, praying that an independent legion may be formed, in the city of New Brunswick and its vicinity.

Which petition was read, and committed to Messrs. Nevius, Snowhill, and Wurts.

Mr. Potts, with leave, presented a bill entitled, An act to extend the charter of the State Bank at Trenton, for certain purposes.

Which bill was read, and ordered a second reading.

Mr. Walling, with leave, presented a bill entitled, An additional supplement to the act entitled, An act concerning roads, passed the ninth day of February, eighteen hundred and eighteen.

Which bill was read, ordered a second reading, and to be printed.

Mr. Godwin, from the committee on the subject of certain alterations in the internal management of the State Prison,

Reported the following statement and estimates of the acting inspectors of said prison :

In obedience to a resolution of the House of Assembly of the State of New Jersey, directing the inspectors of the State Prison, to ascertain what would be the probable expense of arranging the State Prison, so as to confine the prisoners in separate cells at night, beg leave most respectfully to

Report, That some of the rooms of one of the wings of the State Prison may be altered, so as to make thirty-two additional cells, being a sufficient number to accomplish the object of the resolution, and would cost, according to the estimates of mechanics herewith submitted, the sum of fourteen hundred and six dollars, viz:

Fifty thousand brick, at nine dollars per thousand,	\$450
Forty perch stone, at one dollar,	40
Two hundred and forty bushels lime, at thirty cents,	72
Twenty pounds lath nails,	2
One thousand plastering lath,	2
Ten bushels of hair,	2 50
Forty loads of sand, at twenty-five cents,	10
Mason and tenders' work,	200
Ten thousand feet of oak joists,	125
One thousand do. boards,	12 50
Nails and spikes,	10
Thirty-two iron doors, fifteen dollars each,	480

\$1,406

Note. The carpenter work done by prisoners.

No charge made in the estimate of tenders of masons by prisoners, which must be deducted from this estimate.

By order of the board,

P. F. HOWELL, }
STACY A. PAXSON, } *Acting Inspectors.*

Which report and statement was read, and referred to the committee on the State Prison.

On motion of Mr. Carson, the House took up the communication of the Governor, in his message of this morning; the several items of which were disposed of as follows, viz:

First. That part relative to the Delawaware and Raritan Canal, Was referred to the committee on that subject.

Second. That part relative to the negotiation, proposed by the resolution of Pennsylvania, for the use of the waters of the Delaware by the two states, for canaling, manufacturing, and milling purposes,

Was referred to Messrs. Porter, Black, and Wurts; as was also the resolution of the House on the same subject;

That part relative to the subject of the tariff; the subject of slavery; and the relative rights and powers of the states and the general government, as contained in the preamble and resolution of the legislature of Georgia; the resolutions originating in the South Carolina legislature,

Was referred to Messrs. Carson, Jackson, and Godwin.

The bill entitled, A supplement to the act entitled, An act to enable the owners of the tide swamps and marshes to improve the same, and the owners of the meadows already banked in, and held by different persons, to keep the same in good repair, passed the twenty-ninth day of November, in the year of our Lord, seventeen hundred and eighty six,

Was read a second time, gone through with by section, the title so amended as to read, A further supplement, &c. and then ordered to be engrossed.

The bill entitled, An act to assist the inhabitants of the townships of Pahaquarry and Knowlton, in the county of Warren, to complete that part of a public highway in said township, which crosses the Blue mountain, at the Water Gap,

Was read a second time, gone through with by section, and ordered to be engrossed.

The engrossed bill entitled, An act to repeal the act entitled, An act to raise money, to drain the drowned lands in the county of Sussex, passed the twenty-eighth day of November, eighteen hundred and six, and the supplement thereto, passed the twenty-fifth day of November, eighteen hundred and nine,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that has been passed by this House, and request their concurrence therein.

The House adjourned to ten o'clock to-morrow morning.

TUESDAY, January 20, 1829.

Ten o'clock the House met.

Mr. Pennington presented petitions from inhabitants of Newark and its vicinity, in favor of licensing grocers, to sell liquor by small measure.

Which petitions were ordered to lie on the table.

Mr. Godwin presented a petition from the inhabitants of Paterson and its vicinity, praying for the incorporation of a company, to construct a rail-road from Paterson, to the Hudson river.

Which petition was read, and committed to Messrs. Godwin, Zabriskie, and Hancock.

Mr. Voorhees presented a petition from inhabitants of the county of Somerset, in favor of a canal from Hunt's mills, along the Raritan to Amboy.

Which petition was referred to the committee on that subject.

The bill entitled, An act directing the mode of proceeding in cases of violent, sudden, or casual deaths,

Was read a second time, gone through with by section, and ordered to be engrossed.

The engrossed bill entitled, A further supplement to the act entitled, An act to enable the owners of tide swamps and marshes to improve the same, and the owners of the meadows already banked in, and held by different persons, to keep the same in good repair, passed the twenty-ninth day of November, in the year of our Lord, seventeen hundred and eighty-eight,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, An act to assist the inhabitants of the townships of Pahaquarry and Knowlton, in the county of Warren, to complete that part of a public highway in said townships, which crosses the Blue mountain, at the Water Gap,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Carson,
Clifford,
Fayre,
Ellis,
Emley,
Evans,

Messrs. Godwin,
Hancock,
Hillard,
Hopper,
Howell,
Jackson,
Lloyd,

Messrs. Merkel,
Monro,
Pennington,
Porter,
Potts.
Robbins,

Messrs. Snowhill,
Stites,
Vleit,
Voorhees,
West,
Westervelt,

Wurts—27.

NAYS,

Messrs. Black,
Booraem,
Coles,
Estell,
Ewing, (Speaker.)
J. Foster,

Messrs. N. Foster,
Seeley,
Smith,
Stratton,
Townsend,
Walling,

Zabriskie—13.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, and inform them that they have been passed by this House, and request their concurrence therein.

The House resumed the consideration of the bill entitled, An act to extend the charter of the State Banks, at Camden, New Brunswick, Elizabeth, Newark, and Morris.

Which after being progressed in, was again postponed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Potts presented the petition from the inhabitants of this State, in favor of the Delaware and Raritan Canal.

Which petition was ordered to lie on the table.

Mr. Potts presented a petition from the inhabitants of Trenton, for the State to negotiate with Pennsylvania for the conjoint use of the waters of the Delaware, for canaling, manufacturing, and other purposes.

Which petition was read, and referred to the committee on that subject.

Mr. Nevius presented a petition from the inhabitants of Somerset county, in favor of a law for preventing the traveling of steam boats and canal boats, on the Sabbath.

Which petition was referred to the committee on that subject.

Mr. Nevius presented a petition from the inhabitants of Somerset county, in favor of a system of common school education.

Which petition was ordered to lie on the table.

Mr. Sutes, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to divorce Susan Ann Baldwin, from her husband, Abraham Baldwin.

Which bill was read, and ordered a second reading.

The bill entitled, An act to incorporate the city of Jersey, in the county of Bergen, and to repeal a former act,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill entitled, A supplement to an act entitled, An act to alter and amend the act entitled, An act concerning Inns and Taverns, passed the first day of June, one thousand eight hundred and twenty,

Was read a second time, gone through with by section, and postponed.

A message from Council, by Mr. Coleman, their Secretary, informed the House that the Council have passed the bill from the House of Assembly, entitled, An act to divorce Abraham Goltry, of the county of Somerset, from his wife Sarah; the bill from the House, entitled An act to divorce Lauretta Bagg from her husband Thomas Bagg, Jun; the bill from the House, entitled, An act to authorize Nathan Vail and Randolph Dunham, administrators with the will annexed of Isaac Clark, deceased, to sell and convey the real estate of said deceased; and the bill from the House, entitled, A supplement to the act entitled, An act authorizing the enclosure of a certain tract of woodland, situate in the township of Saddle River, in the county of Bergen, passed February seven, eighteen hundred and fifteen.

Respectively, without amendment,

And that the Council have passed a bill entitled, An act to authorize the chosen freeholders of the county of Gloucester, to build a drawbridge over Nacott creek, at a place called Port Republic; also, a bill entitled, A supplement to the act entitled, An act regulating the money of account in this State, passed twenty-first of February, seventeen hundred and ninety-nine.

To which bills, they request the concurrence of the House of Assembly.

Which bills were severally read, and ordered second readings.

The House adjourned to ten o'clock to-morrow morning.



WEDNESDAY, January 21, 1829.

Ten o'clock the House met.

Mr. Potts presented a petition from inhabitants of this State, in favor of the Delaware and Raritan canal.

Which petition was ordered to lie on the table.

Mr. Stites presented the petition of inhabitants of Elizabethtown, for preventing the travelling of steam and canal boats on the Sabbath.

Which petition was ordered to lie on the table.

Mr. Pennington presented the petition of David Ogden, and others, children and heirs at law of Nicholas Ogden, late of Newark, county of Essex, deceased; praying a law to vest in them, the right, title, and interest of the State of New Jersey, in certain forfeited estates.

Which petition was read, and committed to Messrs. Pennington, Seeley, and Monro.

Mr. Godwin presented remonstrances of sundry inhabitants of this State, against a loan of credit by the State, to the Morris Canal and Banking Company.

Which remonstrances were referred to the committee on that subject.

Mr. Lloyd presented the abstract of rateables of Monmouth county, for the past year.

Which was ordered to lie on the table.

Mr. Voorhees, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to divorce Betsey Voorhees, of the county of Somerset, from her husband, Lucas L. Voorhees.

Which bill was read, and ordered a second reading.

Mr. Wurts, from the committee to whom was referred No. 3. of unfinished business, a bill entitled, An act for the publication of chancery reports,

Reported the same, with an amendment.

Which was agreed to, and the bill read, ordered a second reading, and to be printed.

The bill entitled, A supplement to an act entitled, An act respecting bridges, passed the fifth of November, seventeen hundred and ninety-eight,

Was read a second time, and re-committed.

The engrossed bill entitled, An act to incorporate the city of Jersey, in the county of Bergen, and to repeal a former act,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Annin,
Black,
Booraem,
Clifford,
Coles,
Eayre,
Emley,
Estell,

Messrs. Ewing, (Speaker.)
Evans,
J. Foster,
N. Foster,
Godwin,
Hancock,
Hillard,
Howell,

Messrs. Jackson,
Lloyd,
Merkel,
Monro,
Nevius,
Pennington,
Porter,
Potts,
Seeley,
Shinn,
Smith,

Messrs. Snowhill,
Stites,
Stratton,
Townsend,
Vleit,
Voorhees,
Walling,
West,
Westervelt,
Wurts,
Zabriskie—38.

NAYS,

Messrs. Ellis,

Messrs. Robbins—2.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, An act directing the mode of proceedings, in cases of violent, sudden, or casual deaths,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Booraem,
Carson,
Clifford,
Coles,
Eayre,
Ellis,
Estell,
Evans,
Ewing, (Speaker.
N. Foster,
Godwin,
Hancock,
Hillard,
Howell,
Jackson,
Lloyd,
Merkel,
Monro,

Messrs. Nevius,
Pennington,
Porter,
Potts,
Robbins,
Seeley,
Shinn,
Smith,
Snowhill,
Stites,
Stratton,
Townsend,
Vleit,
Voorhees,
Walling,
West,
Westervelt,
Wurts,
Zabriskie—38.

NAYS,

Messrs. Black,

Messrs. Emley,

J. Foster—3.

Ordered, That the Speaker sign the same,

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House resumed the consideration of the bill entitled An

act to extend the time of the charter of the State Banks, at Camden, New Brunswick, Elizabeth, Newark, and Morris;

And on the question of agreeing to a second section, proposed by way of amendment, empowering the Legislature to investigate the concerns of said banks, whenever they considered it necessary, and to repeal the charters, if, in their opinion, the interests of the stockholders, or the public good required it--the yeas and nays being required, were as follows :

YEAS,

Messrs. Annin,
Clifford,
Ellis,
Emley,
Estell,
Evans,
Ewing, (Speaker.)
J. Foster,
Hillard,
Lloyd,
Merkel,
Monro,

Messrs. Potts,
Robbins,
Shinn,
Smith,
Snowhill,
Stratton,
Townsend,
Vleit,
Voorhees,
Walling,
West,
Westervelt,

Wurts—25.

NAYS,

Messrs. Black,
Booraem,
Carson,
Coles,
Mayre,
N. Foster,
Godwin,
Hancock,

Messrs. Howell,
Jackson,
Nevius,
Pennington,
Porter,
Seeley,
Stites,
Zabriskie—16.

So the second section was agreed to, and the bill, on motion, was postponed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Evans presented a petition from inhabitants of Bergen, in favor of the State loaning its credit to the Morris Canal; and Mr. Hancock a number of remonstrances against the same.

Which were together referred to the committee on that subject.

Mr. Clifford presented a petition from Margaret Bon, of Hunterdon county, praying to be divorced from her husband, John Bon.

Which petition was read, and committed to Messrs. Clifford, Vleit, and Merkel.

A message from Council, by Mr. Hamilton, their Secretary pro tem. informed the House, that the Council have passed the bill from the House of Assembly, entitled, An act to divorce Samuel C. Halstead, from his wife Amelia Halstead :

The bill from the House, entitled, An act to authorize Joshua R. Smith and George R. Smith, executors of the last will and testament of Mary D. Smith, late of the city of Burlington, deceased, and the survivor of them to sell and convey two certain lots of ground, and to divide the proceeds thereof among the legal heirs of the said Mary D. Smith's real estate :

The bill from the House, entitled An act for the relief of George P. Woolley :

The bill from the House, entitled An act for the preservation of muskrat fur ;

The bill entitled, An act to repeal the act entitled, An act to raise money, to drain the drowned lands in the county of Sussex, passed the twenty-eighth day of November, eighteen hundred and six; and the supplement thereto passed the twenty fifth day of November, eighteen hundred and nine; and

The bill entitled A supplement to the act entitled, An act to incorporate the Columbian Steam Boat Company, passed the twelfth day of February, in the year of our Lord, one thousand eight hundred and twenty-eight,

Respectively, without amendment,

And the message informed, that the Council have passed a bill entitled, An act to enable Andrew A. Ten Eycke, of the county of Somerset, to carry into effect a certain trust created by Garret Tunison, of said county for the benefit of Arantie Compton, by deed bearing date the fourth of April, eighteen hundred and fifteen.

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading.

Mr. Wurts presented a petition from a number of inhabitants of Hunterdon county, complaining of the mal-conduct in office of Henry Miller, Esq. justice of the peace of said county, and praying that he be impeached.

Which petition was read, and committed to Messrs. Wurts, Seeley, and Pennington, with power to send for persons and papers,

The bill entitled, An act to extend the charter of the State Bank at Trenton, for certain purposes,

Was read a second time, progressed in, and postponed.

The bill entitled, A further supplement to the act entitled, An act to incorporate a company to erect a turnpike from Bordentown to South Amboy, passed February the sixteenth, one thousand eight hundred and sixteen,

Was read a second time, progressed in, and postponed.

The House resumed the consideration of the bill entitled, An act to give to mechanics and others, a lien upon buildings, erected by them until their claims were satisfied,

Was called up, progressed in, and the title so amended as to read, An act to give to mechanics and others, in the township of Bergen, alien upon buildings erected by them, until their claims are satisfied, and thus amended, was on motion postponed.

The bill entitled, An act to divorce Susan Ann Baldwin, from her husband, Abraham Baldwin,

Was read a second time with the accompanying documents, considered by section, and ordered to be engrossed.

The bill entitled, An act to divorce Betsey Voorhees, of the county of Somerset, from her husband, Lucas L. Voorhees,

Was read a second time, considered by section, and ordered to be engrossed.

The House adjourned to ten o'clock to-morrow morning.



THURSDAY, January 22, 1829.

Ten o'clock the House met.

Mr. Nevius presented the petition of Elias Conover and others, praying that themselves and associates may be incorporated as an oyster company, to plant oysters in a vacant lot, in the bay of Amboy.

Which petition was read, and committed to Messrs. Nevius, Walling, and Shinn.

Mr. Pennington presented the memorial of F. Roumage, of Elizabethtown, Essex county, praying that himself and associates may be incorporated, for the purpose of carrying on the manufacture of flax and hemp in an unrotted stile, by a process, peculiarly his own.

Which memorial was read, and committed to Messrs. Pennington, Black, and Townsend.

Mr. Nevius presented a remonstrance from a number of persons of Somerset county, against the bill for divorcing Betsey Voorhees, from her husband, Lucas L. Voorhees.

Which was ordered to lie on the table.

Mr. Coles presented a remonstrance from inhabitants of the State, against a loan of credit to the Morris Canal and Banking Company,

Which was ordered to lie on the table.

Mr. Westervelt presented a memorial from a number of the inhabitants of this State, along the line of the Morris Canal, complaining of the conduct of said company, to property holders, and praying redress.

Which memorial was read, and committed to Messrs. Westervelt, Hillard, and Stratton.

Mr. Jackson presented a petition from the heirs and executors of Flavel Woodruff, late of Morris county, deceased, praying a law to authorize the sale of certain real estate: and also a memorial of sundry inhabitants of said county, praying the passage of said bill.

The former of which was read, and together referred to Messrs. Jackson, Stites, and Wurts.

Mr. Jackson presented the petition of the heirs and devisees of Stephen Condit, late of Hanover, Morris county, deceased, praying for a law to authorize the sale of the real estate of said deceased.

Which petition was read, and referred to the above named committee.

Mr. Wurts, from the committee on that subject,

Reported a bill entitled, A further supplement to the act entitled, An act concerning sheriffs,

Which bill was read, ordered a second reading, and to be printed.

Mr. Pennington, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act for the relief of the heirs of Nicholas Ogden, deceased.

Which bill was read, ordered a second reading, and to be printed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Pennington, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to incorporate the Elizabethtown Flax and Hemp Manufacturing Company.

Which bill was read, and ordered a second reading.

Mr. Zabriskie, from the committee on that subject,

Reported a bill entitled, An act to incorporate the New Jersey Interest and Savings Bank.

Which bill was read, and ordered a second reading.

Mr. Shinn with leave, presented a bill entitled, A supplement to an act entitled, An act to secure to creditors, an equal and just division of the estates of debtors, who convey to assignees for the benefit of creditors.

Which bill was read, ordered a second reading, and to be printed.

The bill from Council, entitled, A supplement to the act entitled, An act regulating the money of account in this State, passed twenty-first of February, one thousand seven hundred and ninety-nine,

Was read a second time, and postponed.

The bill from Council, entitled, An act to enable Andrew A. Ten Eycke, of the county of Somerset, to carry into effect a certain trust created by Garret Tunison, of said county, for the benefit of Arian-tie Compton, by deed bearing date the fourth of April, one thousand eight hundred and fifteen,

Was read a second time, considered by section, and ordered a third reading.

The engrossed bill entitled, An act to divorce Susan Ann Baldwin, from her husband Abraham Baldwin,
 Was read a third time, and compared.
 On the question, shall this bill pass?
 It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
 Booraem,
 Carson,
 Clifford,
 Coles,
 Eayre,
 Ellis,
 Emley,
 Estell,
 Evans,
 Ewing, (Speaker)
 J. Foster,
 N. Foster,
 Godwin,
 Hancock,
 Hillard,
 Hopper,
 Howell,

Messrs. Jackson,
 Lloyd,
 Merkel,
 Monro,
 Pennington,
 Porter,
 Robbins,
 Sceley,
 Shinn,
 Smith,
 Snowhill,
 Stites,
 Stratton,
 Townsend,
 Vleit,
 Voorhees,
 West,
 Westervelt—36.

NAYS,

Messrs. Black,
 Nevius,
 Potts,

Messrs. Walling,
 Wurts,
 Zabriskie—6.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, An act to divorce Betsey Voorhees, of the county of Somerset, from her husband Lucas L. Voorhees,
 Was read a third time, and compared.
 On the question, shall this bill pass?
 It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
 Booraem,
 Carson,
 Clifford,
 Coles,
 Eayre,
 Ellis,
 Emley,
 Estell,
 Evans,
 J. Foster,

Messrs. N. Foster,
 Godwin,
 Hancock,
 Hillard,
 Hopper,
 Howell,
 Jackson,
 Lloyd,
 Monro,
 Robbins,
 Seeley,

Messrs. Shinn,
Smith,
Stites,
Townsend,

Messrs. Vleit,
Voorhees,
West,
Westervelt—39.

NAYS,

Messrs. Black,
Ewing (Speaker)
Merkel,
Nevius,
Pennington,

Messrs. Potts.
Snowhill,
Stratton,
Walling,
Wurts,

Zabriskie—11.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

A message from Council, by Mr. Hamilton, their Secretary pro tempore, informed the House, that the Council have passed the bill from the House of Assembly, entitled, A further supplement to the act entitled, An act to enable the owners of the tide swamps and marshes to improve the same, and the owners of meadows already banked in, and held by different persons, to keep the same in good repair, passed November twenty-nine, one thousand seven hundred and eighty-eight,

Without amendment,

And the message informed, that the Council have agreed to the report of the joint committee, on the subject of common schools in this State.

Whereupon, the House instructed their committee to prepare and report a bill on that subject.

The bill entitled, An act to incorporate the Camden and Amboy Rail-road and Transportation Company,

Was read a second time, progressed in by section, and while under consideration,

The House adjourned to ten o'clock to-morrow morning.



FRIDAY, January 23, 1829.

Ten o'clock the House met.

Mr. Clifford presented a petition from inhabitants of Hunterdon, in favor of a system of common schools.

Which was ordered to lie on the table.

The bill entitled, A supplement to an act entitled, An act to alter

and amend the act entitled, An act concerning inns and taverns, passed the first day of June, eighteen hundred and twenty,

Was taken up, and ordered to be engrossed.

The bill entitled, An additional supplement to the act entitled, An act concerning roads, passed the ninth day of February, eighteen hundred and eighteen,

Was read a second time, the first section disagreed to, and the bill dismissed.

The House resumed the consideration of the bill entitled, A further supplement to the act entitled, An act to incorporate a company, to erect a turnpike from Bordentown to South Amboy, passed February the sixteenth, eighteen hundred and sixteen,

The first section of which was disagreed to, and the bill dismissed.

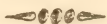
The bill from Council entitled, A supplement to the act entitled, An act regulating the money of account, in this State,

Was read a second time, the first section disagreed to, and the Clerk ordered to inform Council, that the House have disagreed to said bill.

The House resumed the consideration of the bill entitled, An act to extend the charter of the State Bank at Trenton, for certain purposes.

Which was considered by section, and ordered to be engrossed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Hancock presented a remonstrance from inhabitants of Morris county, against the State loaning its credit to the Morris Canal and Banking Company.

Which was ordered to lie on the table.

Mr. Carson, from the committee to whom was referred the petition of Elizabeth Steel, praying to be divorced from her husband, John Steel,

Reported, That the committee have made a full investigation of the subject, and from the facts as they appear, the committee are of opinion, that a redress of the grievances complained of by the petitioner, are already provided for by the existing laws, giving power to the Chancellor to decree a divorce in certain cases: your committee therefore pray to be discharged from the further consideration of the same.

Which report was read, and agreed to.

Mr. Jackson, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act for the relief of the devisees

and heirs at law of Stephen Condit, late of Hanover, in the county of Morris, deceased.

Which bill was read, and ordered a second reading.

Mr. Jackson, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act appointing trustees, to sell and convey the real estate of Flavel Woodruff, deceased.

Which bill was read, and ordered a second reading.

Mr. Nevius, from the committee to whom were referred the petitions of David Mercereau, and Joseph McChesney,

Reported a bill entitled, An act for the relief of David Mercereau, Joseph McChesney, and John T. McDowell.

Which bill was read, and ordered a second reading.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled, An act to incorporate the city of Jersey, in the county of Bergen, and to repeal a former act :

The bill entitled, An act to assist the inhabitants of the townships of Pahaquarry and Knowlton, in the county of Warren, to complete that part of a public highway in said townships, which crosses the Blue mountain at the Water Gap : and

The bill entitled, An act to divorce Betsey Voorhees, of the county of Somerset, from her husband, Lucas L. Voorhees,

Respectively, without amendment.

The bill entitled, An act respecting the last will and testament of Cornelius Wyckoff, late of the county of Hunterdon, deceased,

Was read a second time, the first section disagreed to, and the bill dismissed.

Mr. Carson, from the committee to whom was referred, the bill for the "punishment of crimes,"

Reported the same without amendemnt.

Which bill was progressed in by section, and while under consideration,

The House adjourned to ten o'clock to-morrow-morning.



SATURDAY, January 24, 1829.

Ten o'clock the House met.

Mr. Seeley presented a petition from inhabitants of Cumberland, in favor of a system of common schools.

Which petition was ordered to lie on the table.

Mr. Smith presented the petition from owners of swamps, marsh, and meadow ground, lying on Salem Creek in Salem county, pray-

ing the further suspension of the fifth section of the act authorizing John Denn to shorten the navigation of said creek.

Which petition was read, and committed to Messrs. Smith, Lloyd, and Hillard.

Mr. Nevius, from the committee on that subject,

Reported a bill entitled, An act to establish common schools.

Which bill was read, ordered a second reading, and to be printed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have disagreed to the bill from the House of Assembly, entitled, An act for the relief of persons in actual confinement for debt; and

The message informed, that the Council have passed the bill from the House entitled, An act to divorce Susan Ann Baldwin, from her husband Abraham Baldwin,

Without amendment; and that

The Council have passed the bill from the House entitled, An act directing the mode of proceeding in cases of violent, sudden, or casual deaths,

With an amendment.

To which they request the concurrence of the House of Assembly.

Which amendment was read, agreed to, and the bill as amended, ordered to be re-engrossed.

The House resumed the consideration of the bill entitled, An act for the punishment of crimes.

Which was further progressed in, and while under consideration, The House adjourned to ten o'clock, on Monday morning.



MONDAY, January 26, 1829.

Ten o'clock the House met.

The Speaker laid before the House, the following communication from the Governor:

EXECUTIVE DEPARTMENT,

Trenton, January 23d, 1829.

SIR,—I have just received the enclosed remonstrance from governor Forsyth, of Georgia, and will thank you to lay it before the House of Assembly.

I am, with sincere respect,

Your most obedient servant,

I. H. WILLIAMSON.

Honorable W. B. EWING, Speaker.

Which communication, with the accompanying documents, being a remonstrance of the legislature of Georgia, against the constitutionality of tariff laws, for the protection of domestic industry,

Was read, and ordered to lie on the table

The bill entitled, An act for the relief of the heirs at law of Stephen Condit, late of Hanover, in the county of Morris, deceased,

Was read a second time, and postponed.

Mr. N. Foster presented the following resolution :

Resolved, That the Clerk inform Council that the House of Assembly is ready to go into a Joint Meeting, for the appointment of senator, to supply the vacancy occasioned by the resignation of the honorable Ephraim Bateman, and also for the appointment of a senator, to represent this State in the Senate of the United States, for the term of six years, from the fourth of March next ; and for the appointment of such other civil and military officers as may be deemed necessary, and request Council to appoint the time and place of said meeting.

Which resolution was read, agreed to, and the Clerk ordered to inform Council accordingly.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Emley presented a petition from inhabitants of Burlington county, for a rail-road from Camden to the bay of Amboy.

Which petition was ordered to lie on the table.

Mr. West presented a remonstrance from inhabitants of Monmouth county, against the Delaware and Raritan Canal.

Which remonstrance was ordered to lie on the table.

On motion of Mr. Stites, the House agreed to re-consider their vote on the amendment made by Council, to the bill from the House, entitled, An act directing the mode of proceeding, in cases of violent, sudden, or casual deaths.

Which amendment was disagreed to, and the Clerk ordered to inform Council accordingly.

Mr. Wurts, with leave, presented a bill entitled, An act to prevent frauds by incorporated companies.

Which bill was read, ordered a second reading, and to be printed.

The bill from Council, entitled, An act to enable Andrew A. Ten Eycke, of the county of Somerset, to carry into effect a certain trust created by Garret Tunison, of said county, for the benefit of Arian-tic Compton, by deed, bearing date the fourth of April, eighteen hundred and fifteen,

Was read a third time.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same

Ordered, That the Clerk inform Council that the House have passed said bill,

Without amendment.

The engrossed bill entitled, An act to extend the charter of the State Bank at Trenton, for certain purposes,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Booraem,
Carson,
Clifford,
Coles,
Eayre,
Ellis,
Emley,
Evans,
Ewing, (Speaker.)
J. Foster,
N. Foster,
Hancock,
Hillard,
Hopper,
Howell,
Jackson,
Lloyd,

Messrs. Merkel,
Monro,
Nevius,
Porter,
Potts,
Robbins,
Seeley,
Smith,
Snowhill,
Stites,
Townsend,
Vleit,
Voorhees,
Walling,
West,
Westervelt,
Wurts,
Zabriskie—36.

NAY,

Mr. Stratton—1.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, A supplement to an act entitled, An act to alter and amend the act entitled, An act concerning inns and taverns, passed the first day of June, eighteen hundred and twenty,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Booraem,
Carson,
Coles,
Eayre,
Ellis,
Emley,
Ewing, (Speaker.)
J. Foster,

Messrs. N. Foster,
Hancock,
Hillard,
Hopper,
Howell,
Jackson,
Lloyd,
Merkel,
Monro.

Messrs. Nevius,
Potts,
Seeley,
Smith,
Snowhill,
Stites,

Messrs. Stratton,
Townsend,
Voorhees,
West,
Westervelt,
Wurts,

Zabriskie—31.

NAYS,

Messrs. Clifford,
Evans,
Porter,

Messrs. Robbins,
Vleit,
Walling—6.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to ten o'clock to-morrow morning.



TUESDAY, January 27, 1829.

Ten o'clock the House met.

Mr. Smith presented a petition from inhabitants of Salem county, in favor of a system of common schools.

Which petition was ordered to lie on the table.

Mr. Westervelt presented a petition from inhabitants of Bergen, in favor of the State loaning its credit to the Morris Canal and Banking Company.

Which petition was ordered to lie on the table.

Mr. Carson presented the abstract of rateables of the county of Middlesex, for the past year.

Which was ordered to lie on the table.

Mr. Evans presented with leave of the House, a bill entitled, An additional supplement to the act entitled, An act to incorporate the Orange and Sussex Canal Company, passed the tenth day of December eighteen hundred and twenty-three.

Which bill was read, and ordered a second reading.

The House resumed the consideration of the bill entitled, An act for the relief of the devisees and heirs at law of Stephen Condit, late of Hanover, in the county of Morris, deceased.

Which was considered by section, and ordered to be engrossed.

The bill entitled, An act to regulate the selling, by small measure, of strong beer, wine and spirituous liquors, within the township of Newark, in the county of Essex,

Was read a second time, gone through with by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act for the punishment of crimes.

Which was further progressed in, and postponed.

A message from Council, by Mr Coleman, their Secretary, informed the House, that the Council have receded from their amendment to the bill from the House of Assembly, entitled, An act directing the mode of proceeding, in cases of violent, sudden, or casual deaths, and have passed said bill,

Without amendment; and

The Council have passed a bill entitled, A further supplement to an act entitled, An act to incorporate the Newark and Mount Pleasant Turnpike Company.

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading.

The bill entitled, A supplement to an act entitled, An act to secure to creditors an equal and just division of the estates of debtors who convey to assignees, for the benefit of creditors.

Which bill was read a second time, gone through with by section, and postponed.

The bill entitled, An act appointing trustees to sell and convey the real estate of Flavel Woodruff, deceased,

Was read a second time, progressed in, and postponed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. West presented the petition of inhabitants of Monmouth, in favor of a rail road, from Camden to the bay of Amboy.

Which petition was ordered to lie on the table.

Mr. Carson presented the petition of Thomas Huffman, of Middlesex county, praying to be divorced from his wife, Elizabeth.

Which petition was read, and committed to Messrs. Carson, Hancock, and West.

Mr. Eayre presented the petition of a number of the inhabitants of Burlington county, for a law to prohibit the sale of spirituous liquors on the Sabbath.

Which petition was read, and committed to Messrs. Eayre, Potts, and Annin.

Mr. Coles presented the petition of sundry inhabitants of Essex and Middlesex counties, praying an alteration of the constitution of the State, so as to have but one election, &c.

Which petition was read, and committed to Messrs. Coles, Clifford, and Townsend.

Mr. Nevius, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to incorporate the Raritan Bay Oyster Company.

Which bill was read, and ordered a second reading.

Mr. Jackson, from the committee to whom was referred the report of the joint committee, appointed to view the Morris Canal, and the petition of the Morris Canal and Banking Company, as also other petitions and remonstrances on the same subject,

Reported, That they have been attended by persons who represent the petitioners, and from their statement, and an examination of the documents presented by them, your committee have every reason to believe that the facts set forth in the said petition, are true. The present officers, and board of directors of the company, have, as your committee fully believe, conducted its affairs with good faith, and done much to rescue the great and important work in which they are engaged, from that ruinous and disastrous state into which it had been thrown, by the mismanagement of those who were first intrusted with its affairs. Owing to the number of shares that were thrown back upon the company, by the mismanagement or defalcation of some of the first directors, the company have been obliged to resort to private loans, which they have effected to the extent, and in the manner, set forth on the subject. To pay the money thus borrowed, and to complete the canal, will require about five hundred thousand dollars ; and the company seek the aid of the Legislature, to enable them to raise this sum, for the purposes above stated.

From the examination which has been officially made, relative to the condition and progress of the canal, and the report thereon submitted to this House, your committee believe, that with adequate means, the canal may be entirely completed, and rendered productive in the course of the current year. But if the company remain unassisted, and are compelled to depend solely upon their own resources and exertions, it is probable that several years will elapse before it is finished. So much money has been expended on the canal, and so much progress made in its construction, that your committee can not doubt, but that it will be eventually completed, even by individual enterprise. This delay, however, will be a serious injury to the company, and will materially enhance the cost of its construction, while the whole section of country through which the canal passes, must continue to be subjected to great and constant inconvenience, and damage, from its remaining in an unfinished state.

From the examinations which they have made, of the situation and concerns of the petitioners, your committee are of opinion, that they are entitled to the favorable consideration of the Legislature, and that relief ought to be extended to the company, if it can be done without improperly hazarding the interest, or security of the State. Every principle of public policy, and enlightened legislation recommends such a course. To effect this object it is proposed :

First. That the Morris Canal and Banking Company be authorized to borrow the sum of five hundred thousand dollars, and to issue their obligations or securities to the lenders thereof, bearing interest, payable quarter yearly, and to be redeemed at such time, as shall for that purpose be provided by law.

Second. That as a security for the punctual payment of the interest, and the redemption of the said securities at the time limited, the Morris Canal and Banking Company shall make a conveyance or transfer of the Morris canal, &c. its works and appendages, with all its chartered rights and privileges, unto the State of New Jersey, for the benefit of the lenders of the said sum of money, in default of the payment of the interest or principal of the said loan, or any part thereof, and all previous judgments or incumbrances upon the said canal, to be first satisfied and discharged.

Third. That whenever the preceding conditions are complied with on the part of the company, and two hundred thousand dollars of the said loan shall have been actually and bona fide subscribed and paid in by individuals, or bodies corporate, and the same shall be made to appear to the satisfaction of the Governor, that then the State of New Jersey, shall subscribe for, and take the remainder of the said loan

Fourth. That in payment of the said sum, so subscribed by the State, a State stock shall be created and sold, and the Morris Canal and Banking Company shall punctually provide for the payment of the interest, and the redemption of the principal thereof.

Fifth. That as a further security for the faithful appropriation of the said money, and the proper management of the concerns of the company, the Governor, with the consent of his Privy Council, shall, during the continuance of this loan, annually appoint persons to be directors of the said Morris Canal and Banking Company.

Your committee are of opinion, that a law for their relief, containing provisions to the effect above stated, will enable the company to put the canal into full operation, before the close of the present year.

The company will then be in the constant receipt of an income, to be appropriated as is herein contemplated. The committee do not pretend to be able to form a judgment of the probable amount of income, except from the statements contained in the report of the committee, which has been referred to them, and from the calculations and opinions of other able and competent men, who have examined the subject. All these opinions and statements are highly favorable to the prospects of the company. They are certainly entitled to great respect, and your committee are in possession of no information which would induce them to doubt their general accuracy.

The committee forbear to enter more minutely into an investigation of the subject referred to them, inasmuch, as most, if not all the documents which have come under their consideration, are in possession of the Legislature. They are of opinion that the plan

suggested in this report, for the relief of the company, is the most eligible, and in conformity with these views, the committee present with this report, a bill for the consideration of the Legislature.

Which report was read, and ordered to lie on the table.

Mr. Jackson also reported a bill entitled, An act for the relief of the Morris Canal and Banking Company.

Which bill was read, and ordered a second reading.

Mr. Porter, with leave, presented a bill entitled, A further supplement to the act concerning taxes, passed the tenth day of June, seventeen hundred and ninety-nine.

Which bill was read, ordered a second reading, and to be printed.

Mr. Pennington, with leave, presented a bill entitled, A supplement to the act entitled, An act directing the mode of entering judgments upon bonds with warrant of attorney to confess judgments, passed twenty-fourth day of February, eighteen hundred and twenty.

Which bill was read, ordered a second reading, and to be printed.

The bill entitled, A further supplement to the act entitled, An act for suppressing vice and immorality, passed the sixteenth day of March, seventeen hundred and ninety-eight,

Was read a second time, considered by section, and ordered to be engrossed.

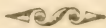
The bill entitled, An act to incorporate the Elizabethtown Flax and Hemp Manufacturing Company,

Was read a second time, and ordered to be engrossed.

The bill entitled, An act to give to mechanics and others, in the township of Bergen, a lien upon buildings erected by them, until their claims are satisfied,

Was read a second time, considered by section, and ordered to be engrossed.

The House adjourned to ten o'clock to-morrow morning.



WEDNESDAY, January 28, 1829.

Ten o'clock the House met.

Mr. Coles presented a petition from inhabitants of Essex, Somerset, and Middlesex, praying for the formation of a new county, to be composed of parts of said counties.

Which petition was read, and committed to Messrs. Coles, Voorhees, and Werts.

On motion, the petition laid on the table on the nineteenth instant, for forming a new county out of the same, and other parts of said counties,

Was called up, and committed to the same committee.

Mr. Pennington presented the following tri-annual report of the board of directors of the Newark Turnpike Company:

*To the Honorable the Legislative Council,
and General Assembly of the State of New Jersey.*

The board of directors of the Newark Turnpike Company, present the following tri-annual statement of the receipts and expenditures of the company, from October first, eighteen hundred and twenty-five, to September thirtieth, eighteen hundred and twenty-eight, the first of which shews the clear annual income of the company, while that of the second statement, exhibits the general account with the treasurer.

To expenditures on the road, from Oct. 1, 1825, to September 30, 1826,		By tolls received from Oct. 1, 1825, to Sept. 30, 1826,	
	864 10		2,223 89
Clear annual in- come,	1,359 79		
	<hr/> 2,223 89		
To expenditures on the road, from Oct. 1, 1826, to September 30, 1827,		Do. from Oct. 1, 1826, to September 30, 1827,	
	1,082 75		2,352 45
Clear annual in- come,	1,269 70		
	<hr/> 2,352 45		
To expenditures on the road, from Oct. 1, 1827, to September 30, 1828,		Do. from Oct. 1, 1827, to September 30, 1828,	
	1,751 41		2,185 99
Clear annual in- come,	434 58		
	<hr/> 2,185 99		

*Newark Turnpike Company, in account with Aaron Beach,
Treasurer.*

1828.	Dr.	By tolls received	Cr.
Oct. 1, to balance		from Oct. 1, 1825, to	
from	38 60	Sept. 30, 1828,	6,762 33
Do. expenditures		Balance,	724 53
on the road, from			
Oct. 1, 1825, to Sept.			
30, 1828,	3,698 26		
Payment of quarter			
yearly dividends of			
six hundred and twenty-five dollars each,			
or one per cent.	3,750		
	<hr/>		
	7,486 86		
	<hr/>		
1828.			<hr/>
Oct. 1. To balance,	724 53		7,486 86

Note. Although from the above statement, there appears a balance against the Company, of seven hundred and twenty-four dollars and fifty-three cents, yet the sum of five hundred and three dollars and ninety-nine cents, was at that time due from the proprietors of the Jersey City Ferry, which has since been received.

All of which is respectfully submitted.

THO WARD, *President of the Company.*

Which report was read, and ordered to lie on the table.

The Speaker laid before the House, the following report of the Quarter-Master-General:

*To the Honorable the Legislative Council,
and General Assembly of the State of New Jersey.*

The undersigned, Quarter-Master-General of the State of New-Jersey, begs leave respectfully to

Report, That, since his last report, he has delivered to the Bergen brigade, two hundred stand of arms, and to the Gloucester brigade, one hundred and twenty stand, under the distribution of arms, made in pursuance of the act in such case.

The arms remaining in the arsenal are in good order, and fit for immediate use, excepting about one hundred, which have been received by the armorer, that is to say :— fifty stand received from Colonel Beers, of the Somerset brigade, and about fifty stand belonging to the State, collected from various quarters, by the armorer. The undersigned has not yet received the quota of arms, allotted to the State, in the last distribution of arms, made under the act of Congress, because he has no proper and suitable place, or arsenal, in which to keep them ; but the same remain in the United States' arsenal, near Philadelphia, subject to his order. He begs, most respectfully, to call the attention of the Legislature to the

necessity of some further provision, in regard to the keeping of the public arms. He suggests his opinion, that it would be more for the public interest to build a suitable arsenal, and there to keep the arms, until wanted for public service. But if this mode should not meet the concurrence of the Legislature, he respectfully suggests, that the next best mode would be, loaning them to the uniform companies. It appears to him, that the arms thus loaned, would be better kept, more secure, and more extensively useful, than distributed according to the present law.

The undersigned has not received any report, during the last year, of the brigade majors, respecting the state of the public arms in their respective brigades, excepting from the brigade major of the Bergen brigade. In that brigade, it appears that the arms are in good order, well and securely kept.

A severe sickness, which has confined the undersigned for upwards of three months, and entirely disabled him from attending to business, and from which he has not yet entirely recovered, he hopes, will excuse him for the tardiness of his report.

GARRET D. WALL,

Quarter-Master-General of New Jersey.

January 26, 1829.

Which report was read, and ordered to lie on the table.

Mr. Townsend, from the committee to whom was referred the petition on that subject,

Reported, a bill entitled, An act relative to habitual drunkards.

Which bill was read, ordered a second reading, and to be printed.

Mr. Carson, from the committee to whom was referred the petition of William Larrison, jun. William Vleit, jun. David Vleit, Jonathan Shotwell, and others, inhabitants of the county of Warren, praying for a law to authorize the clearing out, and draining of the river Pequest, and other brooks and streams, for the purpose of draining a tract or piece of land, known by the name of the Great Meadows, situate in said county,

Reported, That the petitioners have leave to present a bill for the above desired purpose, on the second Wednesday of the next session of the Legislature.

Which report was read, and agreed to.

The engrossed bill entitled, A further supplement to the act entitled, An act for suppressing vice and immorality, passed the sixteenth day of March, seventeen hundred and ninety eight,

Was called up, read, and re-committed.

The engrossed bill entitled, An act for the relief of the devisees, and heirs at law, of Stephen Condit, late of Hanover, in the county of Morris, deceased,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,	Messrs. Hancock,
Black,	Hopper,
Carson,	Howell,
Coles,	Jackson,
Eayre,	Monro,
Emley,	Pennington,
Estell,	Porter,
Evans,	Smith,
Ewing, (Speaker.)	Stites,
J. Foster,	Stratton,
N. Foster,	Voorhees,
Godwin,	Zabriskie—24.

NAYS,

Messrs. Booraem,	Messrs. Seeley,
Clifford,	Shinn,
Ellis,	Snowhill,
Hillard,	Townsend,
Lloyd,	Vleit,
Merkel,	Walling,
Nevius,	West,
Potts,	Westervelt,
Robbins,	Wurts—18.

Ordered, That the Speaker sign the same,

The engrossed bill entitled, An act to regulate the selling, by small measure, of strong beer, wine, and spirituous liquors, within the township of Newark, in the county of Essex,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,	Messrs. Merkel,
Booraem,	Monro,
Carson,	Pennington,
Clifford,	Potts,
Coles,	Robbins,
N. Foster,	Shinn,
Godwin,	Smith,
Hancock,	Stites,
Hopper,	Voorhees,
Howell,	Westervelt,
Jackson,	Wurts,
Lloyd,	Zabriskie—24.

NAYS,

Messrs. Black,
Eayre,
Ellis,
Emley,
Estell,
Evans,
Ewing, (Speaker.)
J. Foster,
Hillard,

Messrs. Nevius,
Porter,
Seeley,
Snowhill,
Stratton,
Townsend,
Vleit,
Walling,
West—18.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House resumed the consideration of the bill entitled, An act for the punishment of crimes.

Which was gone through with by section, and ordered to be engrossed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Voorhees presented the petition of sundry inhabitants of this State, praying that the sale of lottery tickets may be the more effectually prohibited.

Which petition was read, and committed to Messrs. Voorhees, Smith, and Eayre.

Mr. Potts presented a petition from inhabitants of this State, in favor of the Delaware and Raritan Canal.

Which petition was ordered to lie on the table.

Mr. Pennington presented a copy of the proceedings, and resolutions of a town meeting of the citizens of Newark, Essex county, praying a law to authorize the inhabitants of said town, to appropriate certain public incomes to their own use, and for the grant of certain immunities therein set forth.

Which were read, and committed to Messrs. Pennington, N. Foster, and Hillard.

Mr. Potts presented certain affidavits and statements, declaring that Dr. William McKissack, had, in the year seventeen hundred and eighty-one, received eighteen bills of Jersey money, of eight dollars each, which were mislaid, and recently recovered, and praying remuneration for the same, to the said William McKissack.

Which affidavits were read, and committed to Messrs. Potts, Stites, and Porter.

Mr. Lloyd presented a petition from certain inhabitants of Monmouth county, praying the incorporation of a company, to establish a bank in said county, to be located at Middletown Point.

Which petition was read, and committed to Messrs. Lloyd, Snowhill, and Westervelt.

Mr. Potts presented a petition from a number of the citizens of Trenton and its vicinity, praying to be incorporated for the purpose of creating a dam across, or along the Delaware, above the falls of Trenton, to create water power, for manufacturing and milling purposes.

Which petition was read, and committed to Messrs. Potts, Godwin, and Howell.

Mr. Carson, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to divorce Thomas Huffman from his wife, Elizabeth Huffman.

Which bill was read, and ordered a second reading.

Mr. Godwin, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to incorporate the Paterson and Hudson River Rail-road Company.

Which bill was read, and ordered a second reading.

The engrossed bill entitled, An act to incorporate the New Jersey Flax and Hemp Manufacturing Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Booraem,
Carson,
Clifford,
Coles,
Evans,
Ewing, (Speaker)
N. Foster,
Godwin,
Hopper,
Howell,
Jackson,
Merkel,
Monro,

Messrs. Nevius,
Pennington,
Porter,
Potts,
Seeley,
Shinn,
Smith,
Snowhill,
Stites,
Stratton,
Vleit,
Voorhees,
Walling,
Wurts,

NAYS,

Messrs. Black,
Eayre,
Ellis,
Emley,
Estell,
J. Foster,

Messrs. Hancock,
Hillard,
Lloyd,
Robbins,
Townsend,
West,

Westervelt—13.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The House resumed the consideration of the bill entitled, An act to incorporate the Camden and Amboy Rail-road, and Transportation Company,

Which was further progressed in by section, and postponed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed a bill entitled, An act to alter the boundary line, between the townships of Green and Byran, in the county of Sussex.

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading; and

The message informed, that the Council have passed the bill from the House of Assembly, entitled, An act authorizing the enclosure of a certain tract of land situate in the township of Caldwell, in the county of Essex, called the "Hetfield swamp;" and

The bill from the House, entitled, A supplement to an act entitled, An act to alter and amend the act entitled, An act concerning inns and taverns, passed the first day of June, eighteen hundred and twenty,

Respectively, without amendment; and

The message further informed, that the Council will be ready to go into a Joint Meeting, for the appointment of a senator, to supply the vacancy occasioned by the resignation of Ephraim Bateman, Esq. and also for the appointment of a senator, to represent this State in the Senate of the United States, for the term of six years from the fourth of March next, and for the appointment of such other civil and military officers as may be deemed necessary, on Friday morning next, at ten o'clock, A. M. in the Assembly room.

The House adjourned to ten o'clock to-morrow morning.

THURSDAY, January 29, 1829.

Ten o'clock the House met.

Mr. Clifford presented a remonstrance from inhabitants of Hunterdon, against the Delaware and Raritan Canal; and

Mr. Potts of Hunterdon, and Mr. Howell of Burlington, severally presented petitions from inhabitants of their respective counties, in favor of said canal.

Which were together, ordered to lie on the table.

Mr. Clifford presented the petition of sundry inhabitants of Hunterdon county, praying that a dam may be constructed in the river Delaware, above Trenton, for manufacturing, and other purposes,

Which petition was referred to the committee on that subject.

Mr. Wurts presented the petition of a number of the inhabitants of Hunterdon county, praying for a law to prohibit the circulation of bank notes under the denomination of three dollars.

Which petition was read, and committed to Messrs. Wurts, Monro, and Estell.

Mr. Pennington, from the committee on that subject,

Reported a bill entitled, An act concerning the Newtown Dock, and other matters in the township of Newark, in the county of Essex.

Which bill was read, ordered a second reading, and to be printed.

Mr. Potts, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to incorporate a company to erect a dam in the river Delaware, in the vicinity of Trenton.

Which bill was read, and ordered a second reading.

The bill entitled, An act for the relief of David Mercereau, Joseph McChesney, and John T. McDowell,

Was read a second time, the first section disagreed to, and the bill dismissed.

The bill entitled, An act to repeal certain acts therein named,

Was read a second time, gone through with by section, the title so amended as to read, An act to repeal an act establishing the township of Centreville, in Salem county, and the supplement thereto, and thus amended, ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act appointing trustees to sell and convey the real estate of Flavel Woodruff, deceased.

Which was gone through with by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act to incorporate the Camden and Amboy Rail-road, and Transportation Company,

Which was gone through with by section, and ordered to be engrossed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Clifford presented the remonstrance of certain inhabitants of Hunterdon county, against the passage of a law to prohibit the circulation of notes under the denomination of five dollars.

Which remonstrance was read, and referred to the committee on that subject.

Mr. Carson presented the remonstrance of inhabitants of Middlesex county, against the Delaware and Raritan Canal

Which remonstrance was ordered to lie on the table.

Mr. Smith, with leave, presented a bill entitled, An act to regulate fees in the court for the trial of small causes.

Which bill was read, ordered a second reading, and to be printed.

The bill entitled, An act to erect parts of the counties of Essex, Bergen, and Morris, into a new county, to be called the county of Paterson,

Was read a second time, and postponed.

The bill entitled, A further supplement to the act entitled, An act concerning sheriffs,

Was read a second time gone through with by section, and ordered to be engrossed.

The bill from Council entitled, A further supplement to an act entitled, An act to incorporate the Newark and Mount Pleasant Turnpike Company,

Was read a second time, gone through with by section, and ordered a third reading.

The bill from Council entitled, An act to authorize the chosen freeholders of the county of Gloucester, to build a draw bridge over Nacott creek, at a place called Port Republic,

Was read a second time, gone through with by section and ordered a third reading.

Mr. Nevius from the committee to whom was re-committed, the engrossed bill entitled, A further supplement to the act entitled, An act for suppressing vice and immorality, passed the sixteenth day of March, seventeen hundred and ninety-eight,

Reported the same, without amendment.

On the question recurring, shall this bill pass ?

It was decided in the negative as follows :

YEAS,

Messrs. Annin,
Booraem,
Coles,
Hancock,
Jackson,
Lloyd,
Monro,
Nevius,

Messrs. Pennington,
Potts,
Seeley,
Shinn,
Smith,
Stites,
Voorhees,
Walling,

Zabriskie—17.

NAYS,

Messrs. Black,
Clifford,
Eayre,
Ellis,
Emley,
Estell,
Evans,
Ewing, (Speaker.)
N. Foster,
Godwin,
Hillard,

Messrs. Hopper,
Howell,
Merkel,
Porter,
Robbins,
Snowhill,
Stratton,
Townsend,
Vleit,
West,
Westervelt,

Wurts—23.

The House then proceeded to make their nominations for the officers to be appointed at the ensuing Joint Meeting, which were read, and compared, and a duplicate thereof sent to Council.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed a bill entitled, *An act for the more equal representation of the several counties, in the General Assembly of this State.*

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading ; and

The message informed, that the Council have passed a resolution for checking the progress of intemperance in this State.

To which resolution they request the concurrence of the House of Assembly.

Which resolution was read, agreed to, and the Clerk ordered to inform Council thereof.

The House adjourned to ten o'clock to-morrow morning.

FRIDAY, January 30, 1829.

Ten o'clock the House met.

Mr. Potts presented petitions from inhabitants of Hunterdon, in favor of the Delaware and Raritan Canal.

Which were ordered to lie on the table.

Mr. Hopper presented a remonstrance from inhabitants, of Morris, Bergen, and Essex, complaining of the conduct of the Morris Canal and Banking Company, and praying redress.

Which remonstrance was ordered to lie on the table.

Mr. Godwin presented a remonstrance from inhabitants of Paterson and its vicinity, against the State loaning its credit to the Morris Canal and Banking Company.

Which remonstrance was ordered to lie on the table.

Mr. Carson presented the petition of Elizabeth McCoy, of Middlesex county, praying to be divorced from her husband, Peter McCoy.

Which petition was ordered to lie on the table.

Mr. Lloyd, from the committee to whom was referred the petition on that subject,

Reported a bill entitled. An act to incorporate the Farmers and Mechanics' Bank of Middletown Point.

Which bill was read, and ordered a second reading.

The Council came into the Assembly room, the two Houses went into a Joint Meeting, and after spending some time therein, the Joint Meeting adjourned, and the House came to order ; and

Adjourned to three o'clock in the afternoon.



Three o'clock the House met.

The Council came into the Assembly room, the two Houses went into a Joint Meeting, and after going through their appointments in part, the Joint Meeting adjourned, the House came to order ; and Adjourned to ten o'clock to-morrow morning.

SATURDAY, January 31, 1839.

Ten o'clock the House met.

The Council came into the Assembly room, the two Houses went into a Joint Meeting, and after going through their appointments, the Joint Meeting rose, the House came to order, and Adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Nevius presented petitions from inhabitants of Somerset and Middlesex, in favor of the Delaware and Raritan Canal.

Which were ordered to lie on the table.

Mr. Wurts presented a petition from inhabitants of Hunterdon, for a law to prohibit the circulation of bank notes under three dollars.

Which petition was referred to the committee on that subject.

The petition presented by Mr. Carson, on the thirtieth instant, for divorcing Elizabeth McCoy from her husband, and laid on the table,

Was called up, and committed to Messrs. Carson, Nevius, and Porter.

Mr. Pennington, from the committee to whom was referred the bill entitled, An act to prevent trespasses on the salt meadow, in the township of Newark,

Reported a substitute for the same.

Which was received by the House, read, and ordered a second reading.

The bill entitled, An act for the relief of the heirs of Nicholas Ogden, deceased,

Was called up, and re-committed.

Mr. Hopper, with leave, presented a bill entitled, A supplement to an act entitled, An act authorizing the enclosure of a certain tract of woodland, situate in the township of Saddle River, in the county of Bergen, passed February twenty-fifth, eighteen hundred and twenty-eight.

Which bill was read, and ordered a second reading.

Mr Pennington, from the committee to whom was re-committed the bill entitled, An act for the relief of the heirs of Nicholas Ogden, deceased

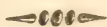
Reported a bill entitled, An act to revive part of an act respecting forfeited estates, and for other purposes.

Which bill was read, ordered a second reading, and to be printed.

The bill entitled, An act relative to habitual drunkards,

Was read a second time, gone through with by section, and postponed.

The House adjourned to ten o'clock, on Monday morning.



MONDAY, February 2, 1829.

Ten o'clock the House met.

Mr. Hancock presented a petition from inhabitants of Morris county, in favor of the application of the Morris Canal and Banking Company.

Also a remonstrance against the same.

Which were ordered to lie on the table.

Mr. Zabriskie presented a remonstrance from inhabitants of Essex and Bergen, against the loan to the Morris Canal and Banking Company.

Which was ordered to lie on the table.

Mr. Hillard presented a petition from inhabitants of Morris county, for taxing bonds and notes.

Which was ordered to lie on the table.

Mr. Potts, from the committee to whom was referred the application of William McKissack for the payment by the State of certain bills of credit, received by him, for produce sold to the army of the United States in the revolution.

Reported, That they find by reference to the laws of the State of seventeen hundred and eighty, that these bills of credit were issued under the authority of a law of this State, passed the ninth day of June, seventeen hundred and eighty, and that the faith of the State was pledged for the redemption of the same in specie, with interest at five per cent. within six years after date. They find also, that by an act of the Legislature of seventeen hundred and eighty-four, provision was made for the redemption of the said bills, as remained unredeemed at the rate of one dollar in specie, for three dollars in bills, consequent upon the depreciation of the said bills in value.

But inasmuch as it appears by the representations of the applicant, that he gave a fair and full consideration in produce for the bills now presented for redemption, and that by an accident he was prevented from presenting them for payment, while they were redeemable at par: the said applicant ought not, in the opinion of the committee, to be precluded from receiving the full amount due upon the face of the said bills of credit, and the committee therefore beg leave to report a bill authorizing the payment of the said bills with interest to the thirty-first December, seventeen hundred and eighty-six, being the period at which, by the original act, the interest was to cease.

Which report was read, and ordered to lie on the table.

Mr. Potts also reported a bill in pursuance of said report, entitled, An act for the relief of William McKissack.

Which bill was read, and ordered a second reading.

The engrossed bill entitled, A further supplement to the act entitled, An act concerning sheriffs,

Was called up, and re-committed.

The bill entitled, An act to establish common schools,

Was read a second time, and postponed.

The House resumed the consideration of the bill entitled, A supplement to an act entitled, An act to secure to creditors an equal and just division of the estates of debtors who convey to assignees, for the benefit of creditors.

Which was gone through with by section, and ordered to be engrossed.

The bill entitled, A supplement to the act entitled, An act directing the mode of entering judgments upon bonds with warrant of attorney to confess judgments, passed the twenty-fourth day of February, eighteen hundred and twenty,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill entitled, A further supplement to the act concerning taxes, passed June tenth, seventeen hundred and ninety-nine,

Was read a second time, and postponed.

Mr. Wurts, from the committee to whom was re-committed the engrossed bill entitled, A further supplement to the act entitled, An act concerning sheriffs,

Reported the same, with amendments.

Which were agreed to, and the bill as amended, ordered to be re-engrossed.

The bill from Council entitled, An act to alter the boundary line between the townships of Green and Byran, in the county of Sussex,

Was read a second time, considered by section, and ordered a third reading.

The engrossed bill entitled, An act to repeal an act establishing the township of Centreville in Salem county, and the supplement thereto,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by the House, and request their concurrence therein.

The bill from Council entitled, A further supplement to an act entitled, An act to incorporate the Newark and Mount Pleasant Turnpike Company,

Was read a third time.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Annin,
Black,
Carson,
Coles,
Emley,
Evans,
Ewing, (Speaker.)
J. Foster,
N. Foster,
Godwin,
Hancock,
Hillard,
Hopper,
Howell,
Lloyd,
Merkel,

Messrs. Monro,
Nevius,
Pennington,
Porter,
Potts,
Seeley,
Shinn,
Smith,
Stites,
Stratton,
Townsend,
Voorhees,
Walling,
West,
Westervelt,
Wurts,

Zabriskie—33.

NAYS,

Messrs. Clifford,

Messrs. Robbins,

Vleit—3.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council that the House have passed said bill,

Without amendement.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Potts presented a number of petitions from inhabitants of

Hunterdon, Somerset, Middlesex, and Burlington, for the formation of a new county, out of parts of said counties.

One of which petitions were read, and together, were committed to Messrs Potts, Howell, and Voorhees.

Mr. Robbins of Warren, and Mr. Hopper of Bergen, severally presented petitions from inhabitants of their respective counties, in favor of the State loaning its credit, to the Morris Canal and Banking Company; and Mr. Godwin, a remonstrance from manufacturers at Paterson, and others, against the application of the Morris Canal and Banking Company.

Which were together, ordered to lie on the table.

Mr. Clifford presented a number of petitions from inhabitants of Hunterdon, in favor of the canal from Hunt's mills to Perth Amboy.

Also a remonstrance against the same.

Which together, were referred to the committee on that subject.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed an order, directing that the State Librarian, be furnished with a copy of each bill, printed by order of either branch of the Legislature, to be by him filed, and preserved in the Library.

To which order, they request the concurrence of the House of Assembly.

Which order was read, and ordered a second reading.

The bill entitled, An act to dissolve the marriage contract, between Samuel Williams, and Mary his wife,

Was read a second time, with the accompanying documents, the first section disagreed to, and the bill postponed to the next session of the Legislature.

The bill entitled, An act concerning the Newtown Dock, and other matters in the township of Newark, in the county of Essex,

Was read a second time, gone through with by section, and ordered to be engrossed.

Mr. Shinn, with leave, presented a bill entitled, A supplement to an act for the relief of persons imprisoned for debt.

Which bill was read, and ordered a second reading.

The House adjourned to ten o'clock to-morrow morning.



TUESDAY, February 3, 1829.

Ten o'clock the House met.

William L. Prall Clerk of the House of Assembly being absent, Elias P. Seely was appointed Clerk pro tem.

Mr. Stites presented a petition from the Literary, Scientific, and Military Institution, in the township of Orange, county of Essex, for a loan of fifty stands of arms, and two field pieces.

Which petition was read, and committed to Messrs. Stites, Hillard, and Townsend.

Mr. Merkel presented a petition from inhabitants of Sussex county, in favor of the application of the Morris Canal and Banking Company.

Which was ordered to lie on the table.

Mr. Voorhees, from the committee to whom was committed the petition of sundry inhabitants of this State, praying that the sale of foreign lottery tickets may be more effectually prohibited.

Reported a bill entitled, A supplement to the act for the suppressing of lotteries, passed thirteenth February, seventeen hundred and ninety-seven.

Which bill was read, ordered a second reading, and to be printed.

A message from Council, by Mr. Coleman, their Secretary, informed the House of Assembly, that Council have passed a bill entitled, An act to alter the time of electing Trustees of the First Presbyterian Church in Orange.

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading.

The bill entitled, An act to provide for the improvement of the internal navigatiod of the State,

Was read a second time, several of the sections agreed to, and the bill postponed.

The House adjourned to three o'clock in the afternoon.



Therree o'clock the House met.

Mr. Emley presented the petition of Thomas Bullock, of the county of Burlington, praying for a law to divorce him from his wife, Rebecca Bullock.

Which petition was read, and committed to Messrs. Emley, Hancock, and Hopper.

Mr. Zabriskie presented a petition from inhabitants of the county of Bergen, in favor of the application of the Morris Canal and Banking Company.

Which petition was ordered to lie on the table.

The bill No. 10. of unfinished business entitled, An act to encourage the breed of horses,

Was read, and committed to Messrs. Lloyd, Hillard, and Shinn.

Mr. Lloyd presented a petition from the inhabitants of Monmouth county, praying for a law to establish a race course or courses in said county.

Which petition was read, and committed to the above named committee on that subject.

Mr. Smith, from the committee to whom was referred the petition of inhabitants of Salem county, praying for the passage of a further supplement to the act entitled, An act to authorize John Denn, of the county of Salem, to shorten the navigation of Salem creek, by cutting a canal, passed the sixth day of November, eighteen hundred and eighteen, for the purpose of suspending the operation of the fifth section of said act, for a term of years,

Reported, That the petitioners or others interested, have leave to present a bill for the purposes set forth in the said petitions, on the first Wednesday of the next session of the Legislature, without giving further notice thereof, and further, that the petitions, together with the affirmation of John Denn on the subject, be filed with the unfinished business of the present session.

Which report was read, and agreed to.

The bill No. 18. of unfinished business entitled, An act to authorize Thomas Applegate to transport a slave,

Was read, and committed to Messrs. Carson, Potts, and Pennington.

The bill entitled, An act to incorporate the Raritan Bay Oyster Company,

Was read a second time, and postponed.

The engrossed bill entitled, A supplement to an act entitled, An act to secure to creditors an equal and just division of the estates of debtors, who convey to assignees for the benefit of creditors,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Carson,
Ellis,
Ewing, (Speaker)
J. Foster,
Godwin,
Hancock,
Hopper,
Merkel,
Monro,
Nevius,

Messrs. Pennington.
Porter,
Potts,
Shinn,
Smith,
Snowhill,
Stratton,
Townsend,
Vleit,
Voorhees,
Westervelt,

NAYS,

Messrs. Black,
Clifford,
Coles,
Eayre,
Emley,
Evans,
N. Foster,

Messrs. Hillard,
Howell,
Lloyd,
Robbins,
Seeley,
Stites,
Walling,

West—15.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The engrossed bill entitled, An act concerning the Newtown Dock and other matters, in the township of Newark, in the county of Essex,

Was read a third time.

On the question shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that Council have passed the bill from the House of Assembly, entitled, An act for the relief of the devisees and heirs at law, of Stephen Condit, late of Hanover, in the county of Morris, deceased,

Without amendment

The bill from Council entitled, An act to alter the boundary line between the townships of Green and Byran, in the county of Sussex,

Was read a second time, considered by section, and ordered a third reading.

The bill from Council, entitled, An act to alter the time of electing Trustees of the First Presbyterian Church in Orange.

Was read a second time, considered by section, and ordered a third reading.

The bill entitled, An act respecting the time of holding certain courts in the county of Sussex,

Was read, and committed to Messrs. Pennington, Evans, and Lloyd.

The bill entitled, An act to revive part of an act respecting forfeited estates, and for other purposes,

Was read, and ordered to be re-committed.

The bill entitled, An act relative to habitual drunkards,

Was read a second time, the first section disagreed to, and the bill dismissed.

The order from Council, directing that the Secretary of Council, and Clerk of Assembly to deliver a copy of each and every bill printed by order of the Council, or House of Assembly, to the State Librarian, to be by him filed and preserved in the Library,

Was read a second time, agreed to, and the Clerk ordered to inform Council accordingly,

The House adjourned to ten o'clock to-morrow morning.



WEDNESDAY February 4, 1829.

Ten o'clock the House met,

Mr. Pennington presented a petition from the inhabitants of the county of Essex, in favor of the application of the Morris Canal and Banking Company.

Mr. Vleit presented a petition from the inhabitants of the township of Independence in the county of Warren, in favor of the application of the Morris Canal and Banking Company.

Mr. Westervelt presented a petition from the inhabitants of the county of Bergen, in favour of the application of the Morris Canal and Banking Company.

Which petitions were ordered to lie on the table.

Mr. Eayre, from the committee to whom was committed the petition of inhabitants of Burlington county, praying that tavern keepers and store keepers may be prohibited from selling intoxicating liquors on the Sabbath.

Reported a bill entitled, An act to prohibit the sale of spirituous liquors, and other strong liquors by tavern keepers and others, on the Sabbath.

Which bill was read, and ordered a second reading, and to be printed.

The House resolved itself into a committee of the whole.

Mr. Stites in the chair.

On the bill entitled, An act to establish common schools,

And after sometime spent in the consideration of the same, the committee rose, reported progress, and obtained leave to sit again.

The engrossed bill entitled, An act for the punishment of crimes, Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Black,

Clifford,
Carson,

Messrs. Eayre,
Estell,
Evans,
Ewing, (Speaker.)
Farlee,
J. Foster,
N. Foster,
Howell,
Merkel,

Messrs. Potts,
Robbins,
Seeley,
Smith,
Snowhill,
Vleit,
Voorhees,
Westervelt,
Zabriskie—22.

NAYS,

Messrs. Coles,
Ellis,
Hillard,
Hopper,
Monro,
Nevius,

Messrs. Pennington,
Porter,
Shinn,
Stites,
Townsend,
Walling,

West—13.

Ordered, That the Speaker sign the same,

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr Westervelt presented a remonstrance from inhabitants of Bergen county, against the State lending its credit to the Morris canal.

Mr. Monro presented several petitions from inhabitants of the county of Morris, in favor of the application of the Morris Canal and Banking Company—also, several petitions against the State loaning its credit to the said company.

Which petitions were read, and ordered to lie on the table.

Mr. Robbins presented a petition from inhabitants of the county of Warren, in favor of the application of the Morris Canal and Banking Company.

Which petition was ordered to lie on the table.

Mr. Hopper presented a remonstrance from inhabitants of the county of Bergen, against lending the credit of the State to the Morris Canal and Banking Company.

Which remonstrance was ordered to lie on the table.

Mr. Hopper presented a petition from inhabitants of the county of Bergen, to regulate the fees of constables.

Which petition was read, and committed to Messrs. Hopper, Clifford, and Smith.

Mr. Hopper presented a remonstrance from inhabitants of Bergen county, against lending the credit of the State to the Morris Canal and Banking Company.

Which petition was ordered to lie on the table.

The bill entitled, An act for the relief of William McKissack,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill from Council, entitled, An act to alter the time of electing trustees of the First Presbyterian Church in Orange,

Was read a third time.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council that the same has been passed by the House,

Without amendment.

The engrossed bill entitled, An act appointing trustees to sell and convey the real estate of Flavel Woodruff, deceased,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Clifford,
Coles,
Estell,
Ewing, (Speaker.)
Farlee,
J. Foster,
N. Foster,
Godwin,
Hancock,
Hopper,
Howell,
Jackson,
Lloyd,
Merkel,
Monro,

Messrs. Porter,
Potts,
Robbins,
Seeley,
Shinn,
Smith,
Snowhill,
Stites,
Stratton,
Townsend,
Vleit,
Voorhees,
Walling,
West,
Westervelt,
Zabriskie—32.

NAYS,

Messrs. Black,
Evans,

Messrs. Fayre,
Nevius—4.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that the House have passed said bill, and request their concurrence therein.

The bill entitled, An act to prevent trespasses on the salt meadows, in the township of Newark,

Was read a second time, the first section disagreed to, and the bill dismissed.

The bill entitled, An act for the relief of the Morris Canal and Banking Company,

Was read a second time, considered by section, and ordered to be engrossed.

The House adjourned to ten o'clock to-morrow morning.



THURSDAY, February 5, 1829.

Ten o'clock the House met.

Mr. Hopper, of Bergen, Mr. Merkel, of Sussex, and Mr. Vleit, of Warren, severally presented petitions from inhabitants of their respective counties, in favor of the application of the Morris Canal and Banking Company.

Which were ordered to lie on the table.

Mr. Westervelt presented a remonstrance from inhabitants of Bergen county, against the contemplated new county of Paterson.

Which remonstrance was read, and ordered to lie on the table.

Mr. Voorhees presented a petition from inhabitants of Somerset county, for a law to prohibit the circulation of bank notes under three dollars.

Which petition was read, and ordered to lie on the table.

Mr. Emley presented the petition of the president on behalf of the brigade board, of Burlington county, praying the loan of fifty stand of rifles, for the use of the Morgan Rifle Company.

Which petition was read, and referred to the military committee.

Mr. Jackson presented two petitions from inhabitants of Morris and Bergen counties, praying the appropriation of money for the purpose of making a free public road, from the Paterson and Hamburg turnpike, to the Morris canal at Rockaway.

Which petitions were read, and committed to Messrs. Jackson, Clifford, and Townsend.

Mr. Nevius presented a petition from inhabitants of Essex and Middlesex counties, for a law more effectually to subject lands, held by non-resident owners, to the payment of taxes.

Which petition was read, and committed to Messrs. Nevius, Jackson, and Seeley.

Mr. Stites, from the committee to whom was referred the petition of Messrs. E. Dunbar, and T. B. Ransom, of the military school of Orange, in the county of Essex,

Reported, That from the high opinion which they entertain of the petitioners, and the institution under their care, the committee are of opinion, that the loan of fifty stand of arms asked for in the petition, will be of great importance to the institution, and not injurious, but beneficial to the arms, and that the Legislature may rely with entire confidence, that they will be safely kept, properly used, and promptly returned when called for by the State, grant the said petition, or as far as relates to the fifty stand of arms.

The committee would not, however, recommend the loan of two field pieces, believing it is in the power of the institution to procure them, without recourse to the State, or expense to itself. The committee therefore beg leave to offer the following resolution, which they hope will be adopted:

Resolved, By the Council and General Assembly of this State, That the Quarter-Master General be, and he is hereby directed to loan to Messrs E. Dunbar, and T. B. Ransom, of the military school of Orange, in the county of Essex, to be used in the said school, fifty stand of arms belonging to this State, on condition that the said E. Dunbar, and T. B. Ransom, enter into bonds with good and sufficient freehold security, to be approved of by the Quarter-Master General, conditioned that the said arms shall be safely kept unimpaired, and free from injury, and that they shall be safely returned in good and perfect order to the Quarter-Master-General, at the expense of the said E. Dunbar, and T. B. Ransom, forthwith, when demanded either by the Governor of this State, or the Quarter-Master-General; which bond the Quarter-Master-General is required to take, and cause to be filed in the office of the Secretary of this State, for the use of the State.

Which report and resolution were read, and agreed to.

Ordered, That the Speaker sign said resolution, and the Clerk carry the same to Council, and request their concurrence therein.

Mr. Pennington, from the committee to whom was referred the memorial of sundry inhabitants of the counties of Essex and Middlesex, upon the subject of an alteration in the constitution of the United States, providing for the appointment of President,

Reported, That the subject is one of much difficulty, and about which many opinions are entertained. The application of the memorialists is to have such measures adopted, as will, in all future elections of President, ensure the appointment for six years, and that the person so elected, shall not be again eligible to the office.

That the President should not be eligible to a second election, seems to be generally agreed, but the great difficulty is to fix the term of time for which he shall be chosen. The time should be long enough to give permanency and system to that branch of the government, and short enough to prevent abuses from the exercise of arbitrary authority.

The public mind, it is believed, has fixed that time at six years, and that period will be the most likely to answer general consent, and it is recommended to adopt six years, as the period of time,

according to the prayer of the memorialists. The memorial, it will be observed, is silent upon the subject of electing the Vice President of the United States, but the committee are decidedly of opinion, that the election of President and Vice President, should be kept united, and subject to the same regulations.

The committee recommend the adoption of the following resolutions :

Resolved, By the Council and General Assembly of this State, That in their opinion, the constitution of the United States should be so amended, that the President and Vice President of the United States, shall hereafter be elected for the term of six years, and that no President or Vice President, thus elected, shall be eligible to a second election.

Resolved, That the senators and representatives in Congress from this State, be, and they are hereby requested, to take such measures as they shall deem best calculated to effect the object of the foregoing resolution.

Resolved, That his excellency the Governor, be requested to transmit a copy of these resolutions, to each of the senators and representatives in Congress from this State ; and also to the executives of the several states, with a request, that they will submit the same to the legislatures of the said states for their concurrence.

Which report and resolutions were read, ordered to lie on the table, and be printed.

The bill from Council, entitled, An act to alter the boundary line between the townships of Green and Byran, in the county of Sussex,

Was read a third time.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council, that the House have passed said bill,

Without amendment.

The engrossed bill entitled, A supplement to the act entitled, An act directing the mode of entering judgments upon bonds with warrants of attorney, to confess judgments, passed the twenty-first of February, eighteen hundred and twenty,

Was read a third time.

On the question shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The House resumed the consideration of the bill entitled, An act to provide for the improvement of the internal navigation of this State.

Which was further progressed in by section, postponed, and the bill with the amendments, ordered to be printed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Walling presented the petition of John Stout, of Monmouth, administrator of Thomas Stout, late of said county, deceased, praying a law to empower him to execute a release to Thomas Stout, surviving devisee of said deceased, for certain lands.

Which petition was read, and committed to Messrs. Walling, Stites, and Nevius.

Mr. Westervelt presented a remonstrance from inhabitants of Bergen, against the application of the Morris Canal and Banking Company, for a loan of credit from the State.

Which remonstrance was ordered to lie on the table.

Mr. Emley, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to divorce Thomas Bullock from his wife, Rebecca Bullock.

Which bill was read, and ordered a second reading.

The bill entitled, An act to incorporate a company to create water power, at the city of Trenton and its vicinity, and for other purposes,

Was called up, and re-committed.

Mr. Smith, with leave, presented a bill entitled, An act concerning the public wharf, streets and highways, in the township of Salem.

Which bill was read, ordered a second reading, and to be printed.

The bill entitled, An act to establish an independant legion, in the city of New Brunswick,

Was read second time, progressed in by section, and postponed.

The House resumed the consideration of the bill entitled, An act to incorporate the Raritan bay Oyster Company.

Which was progressed in by section, and postponed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed a bill entitled, An act to incorporate the Union Line Stage and Steam Boat Company.

To which bill they request they concurrence of the House of Assembly.

Which bill was read, and ordered a second reading.

Mr. Potts, from the committee to whom was re-committed the bill entitled, An act to incorporate a company to create water power at the city of Trenton and its vicinity, and for other purposes,

Reported a substitute for the same.

Which bill was read, and ordered a second reading.

The Speaker laid before the House, the following communication of his excellency the Governor:

EXECUTIVE DEPARTMENT,

Trenton, February 5, 1829.

SIR—I have the honor to transmit herewith, certain resolutions, of the legislature of South Carolina, relating to the powers of the general government, to be laid before the House of Assembly, as requested by the executive of that state.

I have the honor to be with great respect,
your most obedient servant,

I H. WILLIAMSON.

Hon. W. B. EWING, *Speaker, &c.*

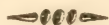
Which communication, with the accompanying documents, was ordered to lie on the table.

Mr. Black submitted the following resolution:

Resolved, That this House will rise on the day of the present month.

Which resolution was read, and ordered to lie on the table.

The House adjourned to ten o'clock, to-morrow morning.



FRIDAY, February 6, 1829.

Ten o'clock the House met.

Mr. Pennington and Mr. Godwin, of Essex, Mr. Merkel of Sussex, and Mr. Jackson, of Morris, severally presented petitions in favor of the application of the Morris Canal and Banking Company, for a loan of credit of the State, and Mr. Pennington a remonstrance from Essex, against the same.

Which were ordered to lie on the table.

Mr. Westervelt, presented a remonstrance from inhabitants of Bergen against the conduct of the Morris Canal and Banking Company, and praying a redress.

Which remonstrance was ordered to lie on the table.

Mr. Stites presented the petition of inhabitants of Elizabethtown Essex county, praying for the alteration and extension of the charter of the Elizabethtown Mutual Assurance Company.

Which petition was read, and committed to Messrs. Stites, N. Foster, and Wurts.

Mr. Coles, from the committee to whom were referred the memorials of sundry inhabitants of the counties of Essex, Somerset, and Middlesex, praying that a new county may be set off, from parts of said counties.

Reported, That the petitioners have leave to bring in a bill for that purpose, on the second Tuesday of the next session of the Legislature ; they advertising their intention so to do, in the newspapers printed in Rahway and Somerville, and in one of the newspapers printed in New Brunswick, for four weeks successively, immediately preceding the time when the said bill is to be presented.

Which report was read, and agreed to.

A message from Council, by Mr. Coleman, their Secretary, inform the House, that the Council have passed the bill from the House of Assembly, entitled, An act concerning the Newtown dock, and other matters, in the township of Newark, in the county of Essex,

Without amendment.

Mr. Emley, from the committee to whom was referred the bill entitled, A supplement to an act entitled, An act respecting bridges, passed the fifth day of November, seventeen hundred and ninety-eight,

Reported the same, with amendments.

Which were agreed to, and the bill, as amended, gone through with by section, and ordered to be engrossed.

The bill from Council, entitled, An act to authorize the chosen freeholders of the county of Gloucester, to build a drawbridge over Nacott creek, at a place called Port Republic,

Was read a second time, gone through with by section, and ordered a third reading

The engrossed bill entitled, A further supplement to the act entitled, An act concerning sheriffs,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Black,
Clifford,
Coles,
Fayre,
Emley,
Evans,
Ewing, (Speaker.)
Farlee,
Godwin,
Hancock,
Merkel.

Messrs. Pennington,
Porter,
Potts,
Robbins,
Secley,
Shian,
Smith,
Stites,
Stratton,
Vleit,
Voorhees.
Wurts,

NAYS,

Messrs. Ellis,
Estell,
N. Foster,
Hillard,
Hopper,
Jackson,

Messrs. Lloyd,
Monro,
Nevius,
Townsend,
Walling,
West,

Westervelt—13.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The bill entitled, An act to incorporate the Paterson and Hudson River Rail-road Company,

Was read a second time, and postponed.

The House resumed the consideration of the bill entitled, An act to provide for the improvement of the internal navigation of this State.

Which was gone through with by section, and ordered to be engrossed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Westervelt presented a remonstrance from Bergen county, against the conduct of the Morris Canal and Banking Company.

Which was ordered to lie on the table.

The bill entitled, An act to divorce Thomas Bullock, from his wife, Rebecca Bullock,

Was read a second time, with the accompanying documents, considered by section, and ordered to be engrossed.

The bill from Council entitled, An act to incorporate the Union Line Stage and Steam Boat Company,

Was read a second time, gone through with by section, and ordered a third reading.

The House resumed the consideration of the bill entitled, An act to incorporate the Raritan Bay Oyster Company.

Which was gone through with by section, and ordered to be engrossed.

The bill entitled, A supplement to the act for the suppressing of lotteries, passed the thirteenth of February, seventeen hundred and ninety-seven,

Was read a second time, gone through with by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, A further supplement to the act concerning taxes, passed June tenth, seventeen hundred and ninety-nine.

Which was progressed in by section, and postponed.

The engrossed bill entitled, An act for the relief of William McKissack,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS,

Messrs. Annin,

Black,

Booraem,

Carson,

Eayre,

Estell,

Evans,

Messrs. Farlee,

Howell,

Lloyd,

Nevius,

Potts,

Shinn,

Voorhees,

Wurts—15.

NAYS,

Messrs. Coles,

Ellis,

Emley,

Ewing. (Speaker.)

N. Foster,

Godwin,

Hancock,

Hillard,

Hopper,

Jackson,

Merkel,

Monro,

Messrs. Pennington,

Porter,

Robbins,

Seeley,

Smith,

Stratton,

Townsend,

Vleit,

Walling,

West,

Westervelt,

Zabriskie—24.

The House adjourned to ten o'clock to-morrow morning.

SATURDAY, February 7, 1829.

Ten o'clock the House met.

Mr. Stratton presented the petition of Daniel McLaren, late president of the New Jersey Protection and Lombard Bank, praying that a bond against him in the hands of the trustees, for the support of free schools, may be cancelled.

Which petition was read, and committed to Messrs. Stratton, Potts, and Vleit.

Mr. Godwin presented a remonstrance from inhabitants of Bergen county, against the conduct of the Morris Canal and Banking Company, and praying redress.

Which was ordered to lie on the table.

Mr. Hopper presented a memorial from inhabitants of Bergen, remonstrating against the formation of the contemplated county of Paterson.

Which was ordered to lie on the table.

Mr. Coles, from the committee to whom was referred the memorial of the citizens of Rahway, suggesting the propriety of amending the State constitution, with respect to the elections,

Reported, That in the opinion of your committee, the time cannot be far distant when a general revision of the constitution will take place, and therefore think it inexpedient at this time to legislate on that subject.

Which report was read, and agreed to.

A message from Council, by Mr. Coleman, their Secretary informed the House, that the Council have passed a bill entitled, An act to restore the navigation of Woodbury creek, in the county of Gloucester.

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and committed to Messrs. Porter, Seeley, and Monroe.

The bill from Council entitled, An act to incorporate the Union Line Stage and Steam Boat Company,

Was read a third time.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Black,
Booraem,
Carson,

Messrs. Coles,
Eayre,
Ellis,

Messrs. Emley,
 Estell,
 Ewing, (Speaker.)
 Farlee,
 N. Foster,
 Godwin,
 Hancock,
 Hillard,
 Hopper,
 Howell,
 Jackson,
 Lloyd,

Messrs. Monro,
 Nevius,
 Pennington,
 Porter,
 Potts,
 Robbins,
 Seeley,
 Stratton,
 Townsend,
 West,
 Westervelt,
 Wurts,

Zabriskie—31.

NAYS,

Messrs. Evans,
 Merkel,

Messrs. Vleit,
 Walling—1.

Ordered, that the Speaker sign the same.

The bill from Council entitled, An act to authorize the chosen freeholders of the county of Gloucester, to build a draw-bridge over Nacott creek, at a place called Port Republic,

Was read a third time.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Black,
 Booraem,
 Carson,
 Coles,
 Eayre,
 Ellis,
 Emley,
 Evans,
 Farlee,
 Godwin,
 Hancock,
 Howell,
 Lloyd,

Messrs. Nevius,
 Pennington,
 Porter,
 Potts,
 Robbins,
 Seeley,
 Stratton,
 Townsend,
 Vleit,
 Walling,
 West,
 Westervelt,
 Wurts,

Zabriskie—27.

NAYS,

Messrs. Estell,
 Ewing, (Speaker.)
 N. Foster,
 Hillard,

Messrs. Hopper,
 Jackson,
 Merkel,
 Monro,

Shinn—9.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council that the House have passed said bill,

Without amendment.

The engrossed bill entitled, A supplement to the act for the suppressing of lotteries, passed February the thirteenth, seventeen hundred and ninety-seven,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Black,
Booraem,
Carson,
Coles,
Eayre,
Ellis,
Emley,
Estell,
Ewing, (Speaker.)
Farlee,
Godwin,
Hancock,
Hillard,
Hopper,
Howell,

Messrs. Jackson,
Merkel,
Monro,
Nevius,
Pennington,
Porter,
Potts,
Robbins,
Shinn,
Stratton,
Townsend,
Vleit,
Walling,
West,
Wurts,

Zabriskie—31.

NAYS,

Messrs. Evans,
N. Foster,

Messrs. Seeley,
Westervelt—4.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that the House have passed said bill, and request their concurrence therein.

The engrossed bill entitled, A supplement to an act entitled, An act respecting bridges, passed the fifth of November, seventeen hundred and ninety-eight,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows :

YEAS,

Messrs. Black,
Carson,
Ellis,
Emley,
Evans,

Messrs. Howell,
Lloyd,
Robbins,
Townsend,
West—10.

NAYS.

Messrs. Booraem,
 Coles,
 Fayre,
 Estell,
 Ewing, (Speaker.)
 Farlee,
 N. Foster,
 Godwin,
 Hancock,
 Hillard,
 Hopper,
 Jackson,
 Merkel,

Messrs. Monroe,
 Nevius,
 Pennington,
 Porter,
 Potts,
 Seeley,
 Shinn,
 Stratton,
 Vleit,
 Walling,
 Westervelt,
 Wurts,
 Zabriskie—26.

The bill entitled, An act to prevent frauds by incorporated companies,

Was read a second time, and postponed.

The bill entitled, An act for the publication of chancery reports,

Was read a second time, progressed in, and postponed.

The House adjourned to ten o'clock on Monday morning.



MONDAY, February 9, 1829.

Ten o'clock the House met.

The petitions from inhabitants of Morris county, praying that bonds, mortgages, and promissory notes, and turnpike and other stocks may be taxed,

Was called up, and committed to Messrs. Hillard, Carson, and Pennington.

Mr. Porter, from the committee to whom was referred the resolution adopted by the legislature of the commonwealth of Pennsylvania, appointing commissioners to enter into an arrangement with commissioners that may be appointed by the Legislature of the State of New Jersey, relative to the use of the waters of the river Delaware, for canalling purposes;

And also, the resolution remaining upon the files of this House, from the last session of the Legislature, relative to the improving

of the navigation of the river Delaware, and using the waters thereof for manufacturing and other purposes ;

And likewise a petition of the citizens of Trenton and its vicinity, relating to the same,

Reported, That the committee have taken the several subjects submitted to them into consideration, and have obtained all the information in their power, upon the said several subjects; are of opinion, that the water powers for canalling and other hydraulic purposes, may be obtained by the erection of dams across said river, at proper places, and of suitable construction, so as not materially to obstruct the navigation, or impede the passage of fish in said river. They do therefore recommend to this Legislature, to appoint commissioners to meet the said commissioners appointed by the State of Pennsylvania aforesaid, to enter into an arrangement for the use of the waters of the Delaware river, for canalling, milling, and manufacturing purposes, when the said commissioners appointed by the State of Pennsylvania, may be fully authorized to treat upon those several subjects, and in accordance with these views, herewith submit a bill.

By order of the committee,
JOSEPH PORTER, Chairman.

Mr. Porter in pursuance of the above report,

Reported a bill entitled, An act for the purpose of effecting an arrangement between the State of New Jersey and Pennsylvania, for the mutual use of the waters of the river Delaware, for canals, and for other purposes.

Which bill was read, and ordered a second reading, and together with report, to be printed.

Mr. Jackson, from the committee to whom was referred the petitions on that subject,

Reported a bill entitled, An act to lay out and work a public road or highway in the township of Pequannock, in the county of Morris.

Which bill was read, ordered a second reading, and to be printed.

The House resumed the consideration of the bill entitled, A further supplement to the act concerning taxes, passed June the tenth, seventeen hundred and ninety-nine.

Which was gone through with by section, and ordered to be engrossed

The bill entitled, An additional supplement to the act entitled, An act to incorporate the Orange and Sussex Canal Company, passed the tenth day of December, eighteen hundred and twenty-three,

Was read a second time, gone through with by section, and postponed.

Mr. Jackson submitted the following resolution:

Resolved, That a committee be appointed for the purpose of enquiring whether some plan cannot be adopted, without incurring much expense, for the more convenient arrangement of the Assem-

bly Room, and that they report to the present session of the Legislature such plan, with the probable cost.

Which resolution was read, agreed to, and Messrs. Jackson, Potts, and Pennington, accordingly appointed.

The bill entitled, An act to incorporate a company to create water power at the city of Trenton and its vicinity, and for other purposes,

Was read a second time, and postponed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed a bill entitled, A further supplement to an act entitled, An act for the limitation of actions, passed the seventh day of February, seventeen hundred and ninety-nine.

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading.

And that the Council have passed the bill from the House of Assembly entitled, A supplement to an act entitled, An act to secure to creditors an equal and just division of the estates of debtors, who convey to assignees for the benefit of creditors,

With amendments.

To which amendments they request the concurrence of the House of Assembly.

Which amendments were read, agreed to, and the bill as amended, order to be engrossed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Lloyd presented the petition of a number of the inhabitants of Monmouth county, for authority to erect a public dock on the margin of the Neversink river, near the village of Shrewsbury.

Which petition was read, and committed to Messrs. Lloyd, Booraem, and Townsend.

Mr. Potts presented the petition of a number of the inhabitants of Hunterdon county, praying that the circulation of bank notes, under three dollars, may be prohibited by law.

Which petition was referred to the committee on that subject.

Mr. Seeley presented a petition from a number of owners of sheep, in Cumberland county, praying an act for their more complete preservation, and for an increased tax on dogs.

Which petition was read, and committed to Messrs. Seeley, Vleit, and Hancock.

Mr. West, from the committee appointed for that purpose, Reported a bill entitled, An act to raise the sum of dollars, for the year eighteen hundred and twenty-nine.

Which bill was read, ordered a second reading, and to be printed.

Mr. Carson, from the joint committee of Council and Assembly, appointed to investigate the accounts and affairs of the State Prison,

Reported, That the attention of the committee, has been particularly directed to the means best calculated to lessen the expense of the prison, and carry into effect, the greatly desired object of confining the prisoners in separate cells at night. From an examination of the books of the institution, it will appear, that the operations of the prison, for the last four years, has been much less expensive to the State, than it was for years previous, which is mainly attributed to changing the occupation of the prisoners from the unproductive employment of nail cutting, blacksmithing, basket-making, &c. to the productive employment of weaving and shoe-making.

The committee present herewith, a statement exhibiting the affairs of the prison, so far as relates to the expenses of the institution, from the year eighteen hundred and twenty-three, by which it will appear, that the expenses of the prison for the year ending October eighteenth, eighteen hundred and twenty-four, including costs of conviction and transportation of prisoners, is ten thousand one hundred and thirty-nine dollars and fifty-two cents. At that period, a new board of inspectors were appointed, who, in January following, caused an inventory to be taken by appraisers appointed by them; changed the occupation of the prisoners, and disposed of the stock and useless tools, as far as was practicable. The good effects of which is manifest, as will be seen by the statement ending October eighteenth, eighteen hundred and twenty-five. The statement for eighteen hundred and twenty-six, shows a decrease of loss, and that for eighteen hundred and twenty-seven is still less. The conviction and transportation of prisoners, is not properly chargeable to the prison, but to show the whole actual expense of the institution, it should be added to the loss in its operations: the average annual amount of this item, is one thousand nine hundred and seventy-six dollars and twenty-two cents.

The statement for the year ending October eighteenth, eighteen hundred and twenty-eight, exhibited the following particulars:

The amount of net stock to begin with,		\$ 6,245 31
To provision account,	do.	1,455 86
To clothing,	do.	646 66 3-4
To incidental,	do.	430 57 1-2
To furniture,	do.	29 62 1-2
To prison repairs,	do.	84 36
To wood,		475 81 1-4
		<hr/> 3,122 90 1-2
		<hr/> 3,122 90 1-2

By amount, balance of accounts,	23 83	
By proceeds of cordwainers,	818 58 3-4	
By proceeds of weaving,	1,597 42 1-2	
By nails sold,	3 23	
By coopering,	16 57 1-2	
By sundries,	103 37 3-4	
By plaster,	6 94 1-4	
By stone-sawing,	86 76 1-4	
By interest,	2 01	
Balance, being the loss,	464 16 1-2	
	<hr/>	3,122 90 1-2

According to the foregoing statement, the loss appears to be		464 16 1-2
From this deduct, prison repairs,	84 36	
Amount paid for apprehending prisoners,	57 56	
Amount paid fees of conviction,	20 00	
	<hr/>	155 92

Amount recd. from A. D. Woodruff's estate,	<hr/>	\$ 308 24 1-2
		92 17

Which would make the actual loss of the operations of the prison, \$ 400 41 1-2		400 41 1-2
Add to this, the salary of the keeper,		800
Four assistant keepers,		1600
Clerk,		500
Physician,		75
Guard,		54 37 1-2
		<hr/>

The loss to the State is,	\$ 3,429 79
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If there is added to this, the expense of the costs of conviction and transportation of prisoners, the average amount, as before stated is	<hr/>	\$ 1,976 22
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The whole expense of the institution is	\$ 5,485 01
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15 prisoners are employed in shoemaking,	
38 " " " in weave shop, 24 weaving, 14 spooling,	
28 " " " in other occupations,	
5 " " " in solitary confinement,	
1 " " " reported unable to work.	

87 whole number.

Of these, 82 are Americans, 1 English, 4 Irish,	87
50 are white men, 1 white woman, 28 black men, 6 black men slaves, and 2 black women slaves,	87
5 in solitary confinement, 82 hard labor,	87
1 under 15, 26 under 25, 48 between 25 and 50, and 12 over 50.	87

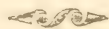
Of these, 73 are in for first offence, 9 for second, 4 for third, 1 for fourth, 87

Employed as follows: shoemaking 15, weaving 24, spooling 14, sawing stone 3, pounding plaster 5, tailoring 3, carpentering 2, basket making 2, spinning wool 2, spinning and sewing 4, washing and attending cells 3, cooking and baking 3, attending sick 1, unable to work 1, solitary cells 5.—87.

52 of them have been received at prison since first October 1827, 3 are in for less than a year, 29 from one to two years, 25 from two to five years, 18 from five to ten, and 12 more than ten.—87.

6 are from Bergen, 15 Essex, 9 Morris, 4 Sussex, 3 Warren, 4 Hunterdon, 2 Somerset, 11 Middlesex, 9 Monmouth, 6 Burlington, 10 Gloucester, 6 Salem, 2 Cape May.—87.

3 are imprisoned for horse stealing, 4 house breaking, &c. 4 burglary, 1 bigamy, 4 burning barns, 27 misdemeanors, 1 manslaughter, 13 assaults, &c. 26 larceny, 1 highway robbery, 1 arson, 1 rape, and 1 for forgery.—87.



NETT PROCEEDS OF THE LABORS OF PRISONERS.

15 shoemaking, \$818 38 3-4, or \$54 57 per man, per year, 11 cents per day.
 38 weave shop, \$1,597 42 1-2, or \$42 03 1-2 per man, per year, 10 do. do.
 28 promiscuous, \$216 90 3-4, or a fraction more than \$7 a year, 6 in cells, &c. \$2,632 92.

87

The accounts do not shew what number have been employed on an average this year, in these occupations, consequently the basis of this calculation may be incorrect.

Expenses of prison, &c.—87 prisoners.

	Total per year.	Per man, per year.	Per man, per week.
Provision,	\$1,455 86 3-4	\$16 78 1-2	32 1-2 cts
Clothing,	646 66 3-4	7 43 1-4	
Incidentals,	1,020 37 1-4	11 72 1-3	
	<hr/> 3,122 90 1-2	<hr/> 35 89 1-2	
Salaries, keepers	3,029 37	34 82	
	<hr/> 6,152 27 1-2	<hr/> 70 71 1-2	\$1 00
Nett proceeds of labor, &c.	2,634 92	30 28 3-4	
	<hr/> 3,517 35 1-2	<hr/> 40 42 3-4	
Loss			

That the inspectors have done all in their power to better the condition of the prison, the committee are fully persuaded; but that a great laxity existed in the management of the late keeper, there can be no doubt, and that much, if not all the evils complained of, may be traced to the want of a more strict and rigid discipline, exacted by the principal keeper and his subordinates. It was to the committee, matter of surprise, to find that the prisoners were allowed to go to and from their work, without the least regularity or order, and that their names were not enrolled and called, at least twice in twenty-four hours. It is also a singular fact, that the prisoners have been confined in cells at night, three, and sometimes four together, when many of the rooms and cells were unoccupied, contrary to law, and the recommendation of the committee of the Legislature of last year, and inconsistent with the good order, moral government, and proper discipline of the prison. The committee refrain from pointing out, in this report, the best method, according to their view, of correcting the defects in the government of the prison, under the conviction that the bill herewith presented, if passed into a law, together with the intelligence and diligence of the inspectors; the energy and judgment of the keeper recently appointed, that not only the views and hopes of the committee and Legislature, but that the wishes and interest of the State will be shortly and fully accomplished.

The committee respectfully submit the following resolution, and a bill herewith:

Resolved, By the Council and General Assembly of this State, That the inspectors of the State Prison, be directed and required to prepare, and report to the next session of the Legislature, an estimate of the expense of so altering the present wings of the said Prison, as to admit of the separate confinement of each prisoner by night: and also prepare and report an estimate of the expense of building, and constructing a new wing in said Prison, so as to effect the same, in the best and most approved manner.

By order of the committee.

CHARLES CARSON, *Chairman*.



A STATEMENT

Showing the amount of stock on hand, amount of ditto purchased and sold, amount of loss; also, amount of keepers' salaries for each year, from first October, eighteen hundred and twenty-three, to first October, eighteen hundred and twenty-eight.

1823.

Oct. 1.	To amount of stock on hand	
	this day,	\$12,547 17
	To amount of do. purchased	
	during the year,	8,124 81

To amount of loss by prisoners,	1,767 23
To amount of loss by insolvent debtors,	24 37

\$22,463 55

1824.			
Oct. 1.	By amount of sales during the year,	5,738 14	
	By amount of stock on hand this day,	11,918 45	
		<hr/>	17,656 59
	To balance, as per general statement,		4,806 96
	Deduct amount of prison repairs,	170 15	
	Amount of loss by prisoners,	1,767 23	
	Amount of loss by insolvent debtors,	24 37½	
		<hr/>	1,961 75 1-2
	Amount of actual loss in its operations,		2,845 20 1-2
	Amount of keepers' salaries,		3,675 00
			<hr/>
	Amount of loss, including keepers' salaries,		6,520 20 1-2
			<hr/>



1824.			
Oct. 1.	To amount of stock on hand this day,	11,918 45	
	To amount of do. purchased during three months,	3,314 68	
	To amount of loss by prisoners,	1,823 68	
	To amount of loss by insolvent debtors,	876 87	
		<hr/>	17,933 68
1825.			
Jan. 1.	By amount of sales during three months,	2,111 40	
	By amount of stock on hand this day,	6,015 01	
		<hr/>	8,126 41
			<hr/>

To balance, as per general statement,		9,807 27
Deduct the difference in the value of stock, taken 1st October 1824, and that taken 1st January, 1825,	4,322 03	
Amount of loss by insolvent debtors,	876 87	
Amount of loss by prisoners,	1,823 68	
Amount of unsettled accounts,	1,366 79	
		<hr/> 8,389 37 <hr/>
To balance, it being the actual loss in its operations,		1,417 90
To amount of keepers' salaries for three months,		918 75
		<hr/>
Amount of loss, including keepers' salaries,		2,336 65 <hr/>



1825		
Jan. 1.	To amount of stock on hand this day,	6,015 01
	To amount of do. purchased during nine months,	2,487 47
	To amount of loss by prisoners,	119 85
	To amount of unsettled accounts	385 04
		<hr/> 9,007 37 <hr/>
Oct. 1.	By amount of sales during nine months,	3,014 83
	By amount of stock on hand this day,	5,109 60
		<hr/> 8,124 43 <hr/>
	To amount of loss, as per general statement,	882 94
	Deduct amount of prison repairs,	278 40
	Amount of loss by prisoners,	119 85
	Amount of unsettled accounts	385 04
		<hr/> 783 29 <hr/>

To balance, it being the actual loss in its operations,	99 65
To amount of keepers' salaries for nine months.	2,431 25

Amount of loss, including keepers' salaries,	2,530 90
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1825.

Oct. 1. To amount of stock on hand this day,	5,109 60
To amount purchased during the year,	3,422 49
To amount paid for apprehending prisoners,	105 92

1826.

Oct. 1, By amount of sales during the year,	\$ 2,701 98
By amount of stock on hand,	4,767 81
	<u>7,469 79</u>

By amount due the several counties, closed by profit and loss,	218 15
	<u>7,687 94</u>

To balance as per general statement,	950 07
Deduct amount of prison repairs,	213 15
Amount paid for apprehending prisoners,	105 90
	<u>319 45</u>

630 62

Add the amount due the several counties,	218 15
Amount of balance, being the actual loss in its operations,	848 77
Amount of keepers' salaries,	3,025 00

Amount of loss, including keepers' salaries,	3,873 77
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1826.

Oct. 1.	To amount of stock on hand, this day,		\$4,767 81
	To amount of do. purchased during the year,		4,938 30 1-2
	To amount paid T. Dunn, which amount was closed by profit and loss,		81 66
	To amount paid, horse hire in pursuit of prisoners,		5 00
	To amount of exchange of Barker's notes,		4 00
			<hr/>
			9,796 77 1-2

1827.

Oct. 1.	By amount of sales during the year,	5,004 40 1-2	
	By amount of stock on hand this day,	3,575 56 3-4	
		<hr/>	8,579 97
	To balance, as per general statement,		1,216 80 1-2
	Deduct amount of prison re- pairs,	242 31	
	Amount paid T. Dunn,	81 66	
	Amount paid horse hire, in pursuit of prisoners,	5 00	
	Amount of exchange of Bar- ker's notes,	4 00	
	Difference in the value of eighty kegs of nails, that at which they were inven- toried at, and the price sold for,	264 09	
		<hr/>	597 06
	To amount of balance, it be- ing the actual loss in its op- erations,		619 74 1-2
	Amount of keepers' salaries,		2,975 00
			<hr/>
	Amount of loss, including keepers' salaries,		3,594 74 1-2

NOTE.—The average amount of the cost of conviction, and transportation of prisoners, annually, is one thousand nine hundred and seventy-six dollars, and twenty-two cents, which must be added to the loss, to prove the actual expenses of the institution.

Which report was read, ordered to lie on the table, and to be printed.

Mr. Carson also reported a bill entitled, An act making provision for carrying into effect the act for the punishment of crimes.

Which bill was read, ordered a second reading, and to be printed.

The engrossed bill entitled, An act to divorce Thomas Bullock from his wife, Rebecca Bullock,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Booraem,
Carson,
Clifford,
Coles,
Ellis,
Emley,
Estell,
Evans,
Ewing, (Speaker.)
Farlee,
N. Foster,
Godwin,
Hancock,
Hillard,

Messrs. Hopper,
Howell,
Jackson,
Lloyd,
Merkel,
Monro,
Pennington,
Porter,
Robbins,
Seeley,
Shinn,
Townsend,
Walling,
West,

Wurts—29.

NAYS,

Messrs. Nevius,
Potts,
Stratton,

Messrs. Vleit,
Westervelt,
Zabriskie—6.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The bill from Council, entitled, An act for the more equal representation of the several counties in the General Assembly of this State,

Was read a second time, and postponed.

The House resumed the consideration of the bill entitled, An act to prevent frauds by incorporated companies.

Which was progressed in by section, and postponed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have disagreed to the bill from the House entitled, An act to give to mechanics and others, in the township of Bergen, a lien upon buildings erected by them, until their claims are satisfied; and

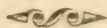
That the Council have passed the bill from the House of Assembly entitled, An act to incorporate the New Jersey Flax and Hemp Manufacturing Company.

With amendments.

To which amendments they request the concurrence of the House of Assembly.

Which amendments were read, and ordered to lie on the table.

The House adjourned to ten o'clock to-morrow morning.



TUESDAY, February 10, 1829.

Ten o'clock the House met

Mr. Coles presented the remonstrance of sundry inhabitants of Essex county, against the application of the Morris Canal and Banking Company, for a loan of credit.

Which remonstrance was ordered to lie on the table.

Mr Potts presented a petition from inhabitants of Hunterdon county, prohibiting the circulation of bank notes, under the denomination of three dollars.

Which petition was referred to the committee on that subject.

Mr. Stratton presented a petition from a committee of the convention of the Protestant Episcopal Church, of this State, complaining of some of the provision of the act, for incorporating religious societies, and praying relief in the premises.

Which petition was read, and committed to Messrs. Stratton, Lloyd, and Booraem.

Mr Clifford, from the committee to whom was referred the petition of Margeret Boss, praying to be divorced from her husband, John Boss,

Reported, That they have examined the petition, and documents accompanying the same, and are of opinion that they do not contain evidence sufficient to warrant the interference of this House.

Which report was read, and agreed to.

The House resolved itself into a committee of the whole, Mr. Seeley in the chair, on the bill entitled An act to establish common schools, and after spending some time therein, the committee rose, reported progress, and obtained leave to sit again.

The House adjourned to three o'clock in the afternoon.

Three o'clock the House met.

Mr. Black presented a petition from inhabitants of Burlington county, for the lengthening the axletrees of wagons, and widening the roads, for the greater ease and safety of travelling.

Which petition was read, and committed to Messrs. Black, N. Foster, and Voorhees.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have disagreed to the bill from the House of Assembly, entitled, A further supplement to the act entitled, An act concerning sheriffs; and to

The bill from the House of Assembly, entitled, A supplement to the act for the suppressing of lotteries, passed February the thirteenth, seventeen hundred and ninety-nine.

The House resolved itself into a committee of the whole, Mr. Seeley in the chair, on the bill entitled, An act to establish common schools, and after spending some time therein, the committee rose, reported the bill amended to the House.

Which together with the amendments, were postponed, and ordered to be printed.

The bill entitled, An act to incorporate the Farmers and Mechanics' Bank of Middletown Point,

Was read a second time, progressed in by section, and while under consideration,

The House adjourned to ten o'clock to-morrow morning.



WEDNESDAY, February 11, 1829.

Ten o'clock the House met.

Mr. Evans presented a petition from inhabitants of Sussex, in favor of a system of common schools.

Which was ordered to lie on the table.

Mr. Stites presented a petition from inhabitants of Essex, in favor of the application of the Morris Canal and Banking Company, for a loan of credit; and

Mr. Hillard and Mr. Hancock of Morris, and Mr. Hopper, of Bergen, severally presented remonstrances, against the same.

Which were together, ordered to lie on the table.

Mr. Stites presented a petition from inhabitants of New Providence, Essex county, against the formation of a new county, from parts of the counties of Essex, Somerset and Middlesex.

Which petition was read, and ordered to lie on the table.

Mr. J. Foster presented the petition of the president on behalf of the board of trustees of the poor for Salem county, praying an alteration of the poor laws, in relation to said county.

Which petition was read, and committed to Messrs J. Foster, Black and Hillard.

Mr. Potts presented the petitions of John N. Simpson, David Mercereau, and Thomas Gordon, praying to be incorporated as a company for the purpose of, and with the privilege of planting oysters, on certain oyster grounds, in the bay of Amboy.

Which petition was read, and committed to Messrs. Potts, Nevius, and J. Foster.

Mr. Nevius, from the committee to whom was referred the petition of sundry inhabitants of the counties of Essex and Middlesex, praying for an alteration in the law concerning taxes,

Reported, That in the opinion of the committee, it would be inexpedient at this time, for the Legislature to make the alteration contemplated by said petition.

Which report was read, and agreed to.

Mr. Stratton, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to incorporate religious societies, worshipping according to the customs and usages of the protestant episcopal church.

Which bill was read, and ordered a second reading.

The House resumed the consideration of the bill entitled, An act to prevent frauds by incorporated companies.

Which was gone through with by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act to incorporate the Farmers and Mechanics' Bank of Middletown Point.

Which was gone through with by section, and ordered to be engrossed.

The bill entitled, An act to prohibit the sale of spirituous, vinous, and other strong liquors, by tavern keepers and others, on the Sabbath,

Was read a second time, the first section disagreed to, and the bill dismissed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act to divorce Thomas Bullock, from his wife, Rebecca Bullock,

Without amendment:

And that the Council have passed the bill from the House of Assembly entitled, A supplement to the act entitled. An act directing

the mode of entering judgements upon bonds, with warrants of attorney to confess judgements, passed the twenty-fourth of February, eighteen hundred and twenty,

With amendments.

To which amendments, they request the concurrence of the House of Assembly.

Which amendments were read, and ordered to lie on the table:

And the message informed, that the Council have passed a bill entitled, An act for the relief of Catharine Patterson.

To which bill they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading.

The House took up the amendments made by Council, to the bill from the House entitled, An act to incorporate the New Jersey Flax and Hemp Manufacturing Company.

Which amendments were disagreed to, and the Clerk ordered to inform Council accordingly.

The re-engrossed bill entitled, A supplement to an act entitled, An act to secure to creditors an equal and just division of the estates of debtors, who convey to assignees for the benefit of creditors,

Was read and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Annin,
Booraem,
Carson,
Ellis,
Ewing, (Speaker.)
J. Foster,
Godwin,
Hopper,
Howell,
Jackson,
Lloyd,
Merkel,
Monro,

Messrs. Nevius,
Pennington,
Porter,
Potts,
Robbins,
Shinn,
Stratton,
Townsend,
Vleit,
Voorhees,
West,
Westervelt,
Zabriskie—26.

NAYS,

Messrs. Black,
Clifford,
Coles,
Eayre,
Emley,
Estell,
Evans.

Messrs. Farlee,
N. Foster,
Hancock,
Hillard,
Seeley,
Stites,
Walling,

Wurts—15.

Ordered. That the Speaker sign the same.

Ordered. That the Clerk carry said bill to Council, inform them that the amendments made thereto by Council, have been agreed to by this House, and that they have caused said bill to be re-engrossed.

The engrossed bill entitled, A further supplement to the act concerning taxes, passed June tenth, one thousand seven hundred and ninety-nine,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Black,
Booraem,
Carson,
Coles,
Eayre,
Ellis,
Emley,
Ewing, (Speaker)
Farlee,
J. Foster,
N. Foster,
Godwin,

Messrs. Hancock,
Hillard,
Howell,
Jackson,
Lloyd,
Pennington.
Porter,
Potts,
Shinn,
Stratton,
Walling,
Wurts,

Zabriskie—25.

NAYS,

Messrs. Annin,
Clifford,
Estell,
Evans,
Hopper,
Merkel,
Monro,
Nevius,

Messrs. Robbins,
Seeley,
Stites,
Townsend,
Vleit,
Voorhees,
West,
Westervelt—16.

Ordered. That the Speaker sign the same.

Ordered. That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon.

Three o'clock the House met.

Mr. Clifford presented the petition of Joseph Snyder, of Hunterdon county, praying to be divorced from his wife, Charlotte.

Which petition was read, and committed to Messrs. Clifford, Hancock, and Annin.

The resolution laid on the table on the fifth instant, for fixing the time for the rising of the House,

Was called up, and made to read as follows :

Resolved, That this House will rise on Tuesday, the twenty-fourth day of the present month.

Thus amended it was agreed to.

The House resumed the consideration of the bill, entitled, An act for the publication of chancery reports.

And on the question of agreeing to the first section, the yeas and nays being required, were as follows :

YEAS,

Messrs. Annin,
Booraem,
Carson,
Clifford.
Coles,
Eayre,
Ellis,
Evans,
Farlee,
Godwin,
Hillard,
Howell,

Messrs. Lloyd,
Merkel,
Nevius,
Pennington,
Porter,
Potts,
Seeley,
Shinn,
Stites,
Stratton,
Voorhees,
Wurts,

Zabriskie—25.

NAYS,

Messrs. Black,
Emley,
Estell,
Ewing, (Speaker.)
J. Foster,
N. Foster,
Hancock,
Hopper,

Messrs. Jackson,
Monro,
Robbins,
Townsend,
Vleit,
Walling,
West,
Westervelt—16.

So the first section was agreed to.

The bill was then gone through with by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act to establish an independant legion, in the city of Brunswick.

Which was gone through with by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act to incorporate the Paterson and Hudson River Rail-road Company.

Which was gone through with by section, and ordered to be engrossed.

The House took up the report of the committee, on the subject of so amending the constitution of the United States, as to fix the term of office of the President and Vice President, to six years, and to render them thereafter ineligible, with the resolutions accompanying the same.

Which report and resolutions were read, and agreed to.

Ordered, That the Speaker sign said resolutions, and the Clerk carry the same to Council, and request their concurrence therein.

The House resumed the consideration of the bill from Council entitled, An act for the more equal representation of the several counties in the General Assembly of this State.

The first section of which was disagreed, and the Clerk ordered to inform the Council that the House have disagreed to said bill.

Mr Shinn submitted the following resolution:

Resolved, That a committee be appointed to inquire if any, and what, alterations are necessary in the act relative to fire companies, passed December fourteenth, eighteen hundred and twenty-six.

Which resolution was read, agreed to, and Messrs. Shinn, Godwin, and Jackson, accordingly appointed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council *do insist* on their amendment to the bill from the House of Assembly entitled, An act to incorporate the New Jersey Flax and Hemp Manufacturing Company.

Which message was read, and together with the bill, was ordered to lie on the table.

The House adjourned to ten o'clock to-morrow morning.



THURSDAY, February 12, 1839.

Ten o'clock the House met.

Mr. Hillard, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to authorize John Budd, of the

county of Morris, to remove the obstructions from the outlet of Budd's lake, in said county of Morris.

Which bill was read, and ordered a second reading.

Mr. Stites, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, A supplement to the act entitled, An act to incorporate the Elizabethtown Mutual Assurance Fire Company, passed the tenth day of November, in the year of our Lord, one thousand eight hundred and twelve.

Which bill was read, and ordered a second reading.

Mr. Pennington, from the committee to whom was re-committed the bill entitled, An act to revive part of an act respecting forfeited estates, and for other purposes,

Reported the same, without amendment.

Which bill was read, and ordered a second reading.

The bill entitled, An act to incorporate the New Jersey Interest and Savings Bank,

Was read a second time, the first section unanimously disagreed to, and the bill dismissed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have disagreed to the resolution from the House of Assembly, authorizing the loan of certain arms; and

That the Council have passed the bill from the House of Assembly, entitled, An act appointing trustees to sell and convey the real estate of Flavel Woodruff, deceased,

Without amendment.

The House resumed the consideration of the bill entitled, An act to establish common schools.

Which was read a second time, considered by section, and on the question of striking out the third section, which makes it the duty of the board of chosen freeholders of the several counties, to assess a tax upon the several townships, in aid of the school fund for the support of free schools, the ayes and nays being required, were as follows:

YEAS,

Messrs. Black,
Carson,
Clifford,
Eayre,
Ellis,
Emley,
Ewing, (Speaker.)
Farlee,

Messrs. J. Foster,
Hancock,
Lloyd,
Merkel,
Robbins,
Seeley,
Townsend,
Vleit,

West—17.

NAYS,

Messrs. Annin,
Booraem,
Coles,
Estell,
Evans,
N. Foster,
Godwin,
Hillard,
Hopper,
Howell,
Jackson,
Monro,

Messrs. Nevius,
Pennington,
Porter,
Potts,
Snowhill,
Stites,
Stratton,
Voorhees,
Walling,
Westervelt,
Wurts,
Zabriskie—24.

So the third section was agreed to.

The bill was then gone through with by section, and ordered to be engrossed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Porter presented the petition of John Dawson, of Gloucester county, praying to be divorced from his wife Charlotte.

Which petition was read, and committed to Messrs. Porter, Coles, and Snowhill.

Mr. Stites presented a petition from inhabitants of Elizabethtown and its vicinity, praying for a lottery for the purpose of improving the navigation of Elizabethtown creek.

Which petition was read, and committed to Messrs. Stites, N. Foster, and Jackson.

Mr. Lloyd, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to set off parts of the counties of Monmouth and Burlington into a new county, to be called Atlantic.

Which bill was read, and ordered a second reading.

Mr. Clifford, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to dissolve the marriage contract between Joseph Snyder and Charlotte, his wife.

Which bill was read, and ordered a second reading.

The bill entitled, An act to divorce Thomas Huffman from his wife Elizabeth Huffman,

Was read a second time, the first section disagreed to, and the bill dismissed.

The bill entitled, An act to revive part of an act respecting forfeited estates, and for other purposes,

Was read a second time, the first section disagreed to, and the bill dismissed.

The House took up the message from Council, reporting that the Council insisted on their amendments to the bill from the House, entitled, An act to incorporate the New Jersey Flax and Hemp Manufacturing Company; whereupon

The House receded from their disagreement to said amendments agreed to the same, and the bill as amended, was ordered to be re-engrossed.

The engrossed bill entitled, An act to prevent frauds by incorporated companies,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, An act for the publication of chancery reports,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Annin,
Booraem,
Carson,
Clifford,
Eayre,
Ellis,
Evans,
Farlee,
Godwin,
Hancock,
Hillard,
Lloyd,

Messrs. Merkel,
Nevius,
Pennington,
Porter,
Potts,
Seeley,
Snowhill,
Stites,
Stratton,
Vleit,
Voorhees,
Wurts,

Zabriskie—25.

NAYS,

Messrs. Black,
Coles,
Emley,
Estell,
Ewing, (Speaker.)
J. Foster,
N. Foster.

Messrs. Hopper,
Howell,
Jackson,
Monro,
Robbins,
Townsend,
Walling,

West—15.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The bill entitled, An act to extend the time of the charter of the State Banks, at Camden, New Brunswick, Elizabeth, Newark, and Morris,

Was called up, and re-committed.

The House adjourned to ten o'clock to-morrow morning.



FRIDAY, February 13, 1829.

Ten o'clock the House met,

Mr. Annin presented the petition of Phebe Voorhees, of Somerset county, praying to be divorced from her husband, Martin Voorhees.

Which petition was read, and committed to Messrs. Annin, Walling, and Stratton.

Mr. Walling, from the committee to whom was referred the petition on that subject,

Reported a bill, entitled, An act to carry into effect the partition of lands, made by Richard Stout, and Thomas Stout.

Which bill was read, and ordered a second reading.

Mr. Pennington, from the committee to whom was re-committed the bill, entitled, An act to extend the time of the charters of the of the State Banks, at Camden, New Brunswick, Elizabeth, Newark, and Morris,

Reported a bill entitled, An act to extend the act incorporating the State Banks in New Jersey.

Which bill was read, and ordered to lie on the table.

The engrossed bill entitled, An act establishing an independent legion, in the city of New Brunswick,

Was read a third time, and compared,

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
 Black,
 Booraem,
 Clifford,
 Coles,
 Ellis,
 Emley,
 Evans,
 Ewing, (Speaker.)
 Farlee,
 J. Foster,
 N. Foster,
 Godwin,
 Hillard,
 Howell,
 Jackson,
 Lloyd,

Messrs. Merkel,
 Monro,
 Nevius,
 Pennington,
 Porter,
 Potts,
 Robbins,
 Shinn,
 Snowhill,
 Stites,
 Stratton,
 Vleit,
 Voorhees,
 Walling,
 West,
 Wurts,
 Zabriskie—34.

NAYS,

Messrs. Eayre,
 Estell,
 Hancock,

Messrs. Hopper,
 Townsend,
 Westervelt—6.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The engrossed bill entitled, An act to incorporate the New Jersey Flax and Hemp Manufacturing Company,

Was read, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
 Booraem,
 Carson,
 Clifford,
 Coles,
 Emley,
 Farlee,
 N. Foster,
 Godwin,
 Howell,
 Jackson,
 Lloyd,
 Merkel,
 Nevius,

Messrs. Pennington,
 Porter,
 Potts,
 Robbins,
 Shinn,
 Snowhill,
 Stites,
 Stratton,
 Vleit,
 Voorhees,
 Walling,
 Westervelt,
 Wurts,
 Zabriskie—28.

NAYS,

Messrs. Black,
Eayre,
Ellis,
Estell,
Evans,

Messrs. Ewing, (Speaker,)
J. Foster,
Hancock,
Hillard,
Hopper,

Townsend—11.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that the House have receded from their disagreement to said bill, and have caused the same to be re-engrossed.

The engrossed bill entitled, An act to incorporate the Camden and Amboy Rail-road and Transportation Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS,

Messrs. Black,
Carson,
Eayre,
Ellis,
Emley,
Estell,
Ewing, (Speaker,)

Messrs. J. Foster,
N. Foster,
Jackson,
Lloyd,
Porter,
Shinn,
Snowhill,

Townsend—15.

NAYS,

Messrs. Annin,
Booraem,
Clifford,
Coles,
Evans,
Farlee,
Godwin,
Hancock,
Hillard,
Hopper,
Hewell,
Merkel,
Monro,

Messrs. Nevius,
Pennington,
Potts,
Robbins,
Stites,
Stratton,
Vleit,
Voorhees,
Walling,
West,
Westervelt,
Wurts,
Zabriskie—26.

The engrossed bill entitled, An act to incorporate the Farmers and Mechanics' Bank of Middletown Point,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS,

Messrs. Booraem,
Carson,
Ellis,
Evans,
Godwin,
Hancock,
Hopper,
Jackson,
Lloyd,

Messrs. Merkel,
Porter,
Potts,
Shinn,
Snowhill,
Vleit,
Walling,
West,
Westervelt.—18.

NAYS,

Messrs. Annin,
Black,
Clifford,
Coles,
Eayre,
Emley,
Estell,
Ewing, (Speaker.)
Farlee,
J. Foster,
N. Foster,

Messrs. Hillard,
Howell,
Monro,
Nevius,
Pennington,
Robbins,
Stites,
Stratton,
Townsend,
Voorhees,
Wurts,

Zabriskie—23.

The engrossed bill entitled, An act to incorporate the Raritan bay Oyster Company,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows :

YEAS,

Messrs. Annin,
Farlee,
Godwin,
Hancock,
Hopper,
Jackson,
Merkel,
Monro,

Messrs. Nevius,
Potts,
Robbins,
Shinn,
Voorhees,
Westervelt,
Wurts.
Zabriskie—16.

NAYS,

Messrs. Black,
Booraem,
Carson,
Clifford,
Coles,
Eayre,
Ellis,

Messrs. Emley,
Estell,
Evans,
Ewing, (Speaker.)
J. Foster,
N. Foster,
Hillard,

Messrs. Howell,
Lloyd,
Pennington,
Porter,
Snowhill,

Messrs. Stites,
Stratton,
Townsend,
Vleit,
Walling,

West—25.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled, A further supplement to the act concerning taxes, passed June tenth, seventeen hundred and ninety-nine.

Without amendment; and

That the Council have disagreed to the bill from the House of Assembly, entitled An act for the publication of chancery reports; and also

That the Council have passed the bill from the House of Assembly, entitled, An act to extend the charter of the State Bank at Trender, for certain purposes,

With amendments,

To which amendments they request the concurrence of the House of Assembly.

Which amendments were read, agreed to, and the bill as amended, ordered to be re-engrossed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Evans presented a petition from inhabitants of Sussex county, in favor of the application of the Morris Canal and Banking Company, for a loan of credit.

Which petition was ordered to lie on the table.

Mr. Westervelt presented a remonstrance from inhabitants of Bergen, against the contemplated county of Paterson.

Which remonstrance was ordered to lie on the table.

Mr. Pennington presented a petition from Joseph Sharp, and other managers, praying that the law relative to the drowned lands may be revived, and that the repealing act may be repealed.

Which petition was read, and committed to Messrs. Pennington, Shinn, and Hillard.

Mr. Hopper presented a petition from William Durant, of Bergen county, praying a law to give him a title to certain lands.

Which petition was read, and committed to Messrs. Hopper, Pennington, and Lloyd.

Mr. J. Foster, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, A further supplement to the act entitled, An act for the better relief and employment of the poor, in the county of Salem, passed March twelfth, seventeen hundred and ninety-six.

Which bill was read, and ordered a second reading.

Mr. Porter, from the committee to whom was referred the bill from Council, entitled, An act to restore the navigation of Woodbury creek, in the county of Gloucester,

Reported said bill, without amendment.

Which bill was read, and ordered a second reading.

The engrossed bill entitled, An act to establish common schools,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Annin,
Booraem,
Carson,
Coles,
Ellis,
Evans,
J. Foster,
N. Foster,
Hillard,
Hopper,
Jackson,
Lloyd,
Merkel,
Monro,
Nevius,

Messrs. Pennington,
Porter,
Potts,
Robbins,
Shinn,
Snowhill,
Stites,
Stratton,
Vleit,
Voorhees,
Walling,
West,
Westervelt,
Wurts,
Zabriskie—30.

NAYS,

Messrs. Black,
Clifford,
Eayre,
Emley,

Messrs. Estell,
Ewing, (Speaker.)
Farlee,
Howell,

Townsend—9.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The bill from Council entitled, A further supplement to an act entitled, An act for the limitation of actions, passed the seventh day of February, seventeen hundred and ninety-nine.

Was read a second time.

On the question of agreeing to the first section, the yeas and nays being required, were as follows:

YEAS,

Messrs. Annin,
Black,
Booraem,
Carson,
Clifford,
Ellis,
Easley,
Evans,
Ewing, (Speaker.)
J. Foster,
Hepper,
Howell,

Messrs. Lloyd,
Merkel,
Porter,
Putts,
Robbins,
Shinn,
Snowhill,
Stratton,
Townsend,
Voorhees,
West,
Westervelt,

Zabriskie—25.

NAYS,

Messrs. Coles,
Eayre,
Estell,
Farlee,
N. Foster,
Hancock,
Hillard,

Messrs. Jackson,
Monro,
Nevius,
Pennington,
Stites,
Vleit,
Walling,

Wurts.—15.

So the first section was agreed to, and the bill ordered to a third reading.

The bill from Council entitled, An act for the relief of Catharine Paterson,

Was read a second time, considered by section, and ordered a third reading.

The bill entitled, An act for the purpose of effecting an arrangement between the states of New Jersey and Pennsylvania, for the mutual use of the waters of the river Delaware, for canals, and for other purposes,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill entitled, An act to lay out and work a public road or highway, in the township of Pequanoek, in the county of Morris,

Was read a second time, the first section disagreed to, and the bill dismissed.

The bill entitled, An act to raise the sum of dollars, for the year eighteen hundred and twenty-nine,

Was read a second time, and postponed.

Mr. Clifford submitted the following resolution:

Resolved, That the Treasurer of the State be requested to report to this House, the probable amount of money, necessary to be raised

for the support of the government of this State, for the current year, with a statement of the reasons therefor.

Which resolution was read, and agreed to.

The bill entitled, An act making provision for carrying into effect the act for the punishment of crimes,

Was read a second time, and while under consideration,

The House adjourned to ten o'clock to-morrow morning.



SATURDAY, February 14, 1829.

Ten o'clock the House met.

Mr. Lloyd presented the petition of a number of persons confined in Monmouth jail for debt, praying an extension of the prison limits.

Which petition was read, and committed to Messrs. Lloyd, Stites, and Wurts.

Mr. Farlee, with leave, presented a bill entitled, An act for the relief of William Demund.

Which bill was read, and ordered a second reading.

Mr. Stratton submitted the following preamble and resolution:

Whereas, there are within the territorial limits of this State, a great extent of oyster lands, in which all our citizens have a common right, and which nine-tenths of them in their present condition, are of no value, and by their being left to the mercy of oystermen from the neighboring states to use, as they please, are every succeeding year diminishing in value; and whereas it is the duty of the Legislature, as the guardian of this common property, not only to protect it, but to render it subservient to the production of revenue, so that every citizen may receive some equivalent for his common right; therefore,

Resolved, By the Council and General Assembly of this State, that one commissioner be appointed in each of the counties of Bergen, Essex, Middlesex, Monmouth, Burlington, Gloucester, Cumberland, and Cape May; who shall make a survey and map of all the oyster grounds, within their respective counties, beyond low water mark; designating thereon all the natural beds worthy of notice, where oysters are annually re-produced, and their boundaries, and also such grounds as they, upon examination, shall find suitable for the planting and growing of oysters; and what would be a fair and reasonable annual rent, per acre, for such planting ground:

the best mode and means that may be adopted, to render them the the most productive of public benefit, and any other information in their power to give, which might prove useful hereafter; and make their several reports to the Legislature.

Resolved, That for the county of Bergen, for the county of Middlesex,
 county of Essex, for the county of Monmouth, for the county
 of Burlington, for the county of Gloucester,
 for the county of Cumberland, for the county of
 Cape May, be commissioners who shall severally
 receive for their services a reasonable compensation, to be provided
 for by the next Legislature.

Which report was read, and ordered to lie on the table.

Mr. Hopper, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to authorize Thomas Benton and Henry Andrew, to convey to William Durant, of the town of Jersey, in the township and county of Bergen, a lot of land therein named.

Which bill was read, and ordered a second reading.

On motion of Mr. Pennington, the vote on the bill entitled, An act to incorporate the Farmers and Mechanics' Bank of Middletown Point, was re-considered, and the bill again placed on the files of the House.

The bill entitled, An act to incorporate religious societies, worshipping according to the customs and usages of the protestant episcopal church,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill entitled, A supplement to an act entitled, An act authorizing the enclosure of a certain tract of woodland situate in the township of Saddle River, in the county of Bergen, passed February twenty-fifth, eighteen hundred and twenty-eight,

Was read a second time, considered by section, and ordered to be engrossed.

The re-engrossed bill entitled, An act to extend the charter of the State Bank at Trenton, for certain purposes,

Was read, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that the amendments made thereto by Council, have been agreed to by this House, and that they have caused said bill to be re-engrossed.

The engrossed bill entitled, An act for the purpose of effecting an arrangement between the states of New Jersey and Pennsylvania, for the mutual use of the waters of the river Delaware, for canals and other purposes,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Black,
Carson,
Coles,
Ellis,
Emley,
Estell,
Evans,
Ewing, (Speaker.)
Farlee,
J. Foster,
N. Foster,
Hancock,
Hillard,
Hopper,
Howell,
Jackson,

Messrs. Lloyd,
Merkel,
Monro,
Nevius,
Pennington,
Porter,
Potts,
Shinn,
Snowhill,
Stites,
Stratton,
Townsend,
Voorhees,
Walling,
West,
Westervelt,
Wurts,

Zabriskie—83.

NAYS,

Messrs. Clifford.

Messrs. Robbins,

Vleit—3.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The bill from Council, entitled, An act for the relief of Catharine Paterson,

Was read a third time.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Clifford,
Ellis,
Ewing, (Speaker.)
Farlee,
N. Foster,
Hillard,
Hopper,
Howell,

Messrs. Jackson,
Lloyd,
Merkel,
Nevius,
Porter,
Potts,
Robbins,
Shinn,
Snowhill,

Messrs. Voorhees,
Walling,
West,

Messrs. Westervelt,
Wurts,
Zabriskie—24.

NAYS,

Messrs. Black,
Coles,
Emley,
Estell,
Evans,
J. Foster,

Messrs. Hancock,
Monro,
Pennington,
Stites,
Stratton,
Townsend,

Vleit,—13.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council, that the House have passed said bill,

Without amendment,

The House adjourned to ten o'clock on Monday morning.



MONDAY, February 16, 1829.

Ten o'clock the House met.

Mr. Lloyd, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, A further supplement to the act to regulate the practice of the courts of law, passed February fourteenth, seventeen hundred and ninety-nine.

Which bill was read, and ordered a second reading.

Mr. Annin, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to divorce Phebe Voorhees, from her husband, Martin Voorhees.

Which bill was read, and ordered a second reading.

Mr. Jackson, from the committee to whom was referred the resolution to enquire whether some plan cannot be adopted for the more convenient arrangement of the Assembly Room, &c.

Reported, That as the census of the United States will take place in eighteen hundred and thirty, and the Legislature may, after that, alter, or equalize, the ratio of representation in the several counties, your committee deem it inexpedient to advise any alteration in the Assembly Room at present.

Which report was read, and agreed to.

Mr. Potts, from the committee to whom was referred sundry petitions from inhabitants of Hunterdon, Somerset, Middlesex, and Burlington, praying that a new county may be set off from parts of said counties, to be called the county of Washington.

Reported, That they have had the matter under consideration, and believe it deserves the serious attention of the Legislature, but owing to the advanced state of the present session, they are impressed with the belief, that a fair and full consideration of the same cannot be had at this time, and they therefore recommend that the said petitioners have leave to present a bill on the second Tuesday of the next session, in accordance with their prayer, they first giving public notice of their intention so to do, in one of the newspapers of the city of Trenton, for four weeks successively, immediately preceding the said time.

STACY G. POTTS, *Chairman of the Committee.*

Which report was read, and agreed to.

Mr. West presented to the House, the following report of the Treasurer of the State:

*To the Honorable the General Assembly
of the State of New Jersey.*

The Treasurer, in conformity with your resolution of the thirteenth instant, requiring him to inform the House, the sum necessary to be raised for the support of the government of this State, the current year, with a statement of the reasons therefor, has the honor to report:

That the expenses of the government for the present year, are made dependent upon the revenue, authorized by laws of former Legislatures, together with the balance in the Treasury, on the twenty-eighth day of October last, at the settlement of the Treasurer's accounts; he therefore assumes that position, and to show the equality which they bear to each other, and the result, he submits the following statement:

RECEIPTS.	Balance in the Treasury, October 28th,	
	1828,	\$14,201 74
	Tax due from the several counties, January 20th,	
	1829,	30,000 00
	Incidental receipts,	1,000 00
		<hr/>
		45,201 74
	Disbursements from 28th October, 1828,	
	to 28th October, 1829, as follows,	\$36,000
	Appropriation to a road in Warren	2,000
		<hr/>
		38.000
		<hr/>
	28th October 1829, balance	7,201 74

It therefore appears, that the balance in the Treasury, at the meeting of the Legislature, in eighteen hundred and twenty-nine,

will a little exceed *seven thousand dollars*, a sum insufficient to meet the expenses of government between that time, and the first of the following January, during which period, upon the supposition that the Legislature have but one sitting, the calls upon the Treasury will exceed fifteen thousand dollars.

The Treasurer is of opinion, that it would be the interest of the State, that the balance in the Treasury of each and every year, should not be less than that sum. The trustees of the school fund are authorized by law, to apply any surplus money in the Treasury to the purchase of stocks, for the benefit of that fund, in anticipation of its income, to be repaid when the nett proceeds shall be sufficient for that purpose, the surplus funds of the State are thereby rendered productive. The practice has been to invest at the commencement of the year, and sooner, if the state of the Treasury permitted, a sum equivalent to the income of the school fund, for the succeeding year.

The Treasurer now comes, as he conceives, to the principle requisition in the resolution, (to wit,) what sum will be necessary to be raised by the present Legislature, and the reasons therefor.

In answer to the first, he gives it as his opinion, with due deference to the better judgment of your honorable body, that it will be necessary that the present Legislature should authorize to be raised, at least *forty thousand dollars*. This opinion is predicated upon a conviction, that at the annual meeting of the Legislature in each year, the amount in the Treasury ought to be sufficient to meet the expenses of government between that time and the twentieth of the subsequent January, as there is no revenue receivable under the existing laws, between those periods; and fifteen thousand dollars being the least sum that can accomplish that end, if the Legislature have but one sitting, and that of the ordinary length; the difference less in the Treasury at that time, must necessarily be loaned.

The amount now recommended, if adopted and continued till eighteen hundred and thirty-one, will, unless diminished by special appropriations, or some new levy for expenses, increase the balance in the Treasury to sixteen thousand dollars.

The following statement will show the balance in the Treasury on the twenty-eight of October, eighteen hundred and thirty, in case the foregoing recommendation be adopted.

Balance in the Treasury, 28th October, 1829,	\$ 7,201 74
To be provided for at this time by law,	40,000 00
Incidental receipts,	1,000 00
	<hr/>
Amount of receipts,	48,201 74
Expenses of government,	36,000 00
	<hr/>
Balance,	\$12,201 74

Agreeably to the above estimate, there will be in the Treasury on the twenty-eight of October, eighteen hundred and thirty, the

sum of twelve thousand two hundred and one dollars, and seventy-four cents.

It will be recollected, that the last Legislature, in the month of March, eighteen hundred and twenty-eight, passed a law appropriating the whole of the tax, assessed annually upon bank capital within the State, (and which prior thereto went into the Treasury,) amounting to about *eleven thousand dollars*, to the school fund; at the same time, one tenth of the State tax, which before formed a part of the income of that fund, was then made a revenue to the State, being three thousand dollars, this operation diminished the annual receipts into the Treasury, eight thousand dollars, which if added to the receipts of eighteen hundred and twenty-nine and eighteen hundred and thirty, under the revenue regulations as they stood in March, eighteen hundred and twenty-eight, would leave in the Treasury at the latter date, upwards of eighteen thousand dollars: this result would have been effected, and the sum necessary to have been raised at this time, might have remained at thirty thousand dollars.

All which is respectfully submitted by

Your obedient humble servant.

CHARLES PARKER.

Trenton, February 16, 1829.

Which report was read, ordered to lie on the table, and be printed.

The House resumed the consideration of the bill entitled, An act to raise the sum of dollars, for the year eighteen hundred and twenty-nine.

Which was gone through with by section, the title so amended as to read, An act to raise the sum of forty thousand dollars, for the year eighteen hundred and twenty-nine; and

Was then postponed.

Mr. Evans, with leave, presented a bill entitled, An additional supplement to the act entitled, An act to incorporate the Orange and Sussex Canal Company, passed the tenth day of December, eighteen hundred and twenty-three.

Which bill was read, and ordered a second reading.

Mr. Black, with leave, presented a bill entitled, A further supplement to the act entitled, An act making lands liable to be sold for the payment of debts, passed the eighteenth day of February, seventeen hundred and seventy-nine.

Which bill was read, ordered a second reading, and to be printed.

The bill entitled, An act to dissolve the marriage contract between Joseph Snyder, and Charlotte, his wife,

Was read a second time, with the accompanying documents, considered by section, and ordered to be engrossed.

The bill entitled, An act concerning the public wharf, streets, and highways, in the township of Salem,

Was read a second time, gone through with by section, and ordered to be engrossed.

Mr. Shinn submitted the following resolution:

Resolved, That Council be informed that this House is ready to go into a Joint Meeting, for the appointment of an attorney general, clerk of Middlesex, and such other civil and military officers, as may be deemed necessary; and request the Council to appoint the time and place of said meeting.

Which resolution was read, and ordered to lie on the table.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Eayre, with leave, presented a bill entitled, An act to incorporate the Evesham and Northampton Manufacturing Company.

Which bill was read, and ordered a second reading.

The resolution laid on the table this morning, informing Council, that the House was ready to go into a Joint Meeting,

Was called up and agreed to, and the Clerk ordered to take the same to Council, and request them to appoint the time and place.

The bill entitled A further supplement to the act entitled, An act for the better relief and employment of the poor, in the county of Salem, passed March twelfth, seventeen hundred and ninety-six,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill entitled, A supplement to the act entitled, An act to incorporate the Elizabethtown Mutual Assurance Fire Company, passed the tenth day of November, in the year of our Lord, one thousand eight hundred and twelve,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill entitled, An act to carry into effect the partition of lands made by Richard Stout, and Thomas Stout,

Was read a second time, gone through with by section, and ordered to be engrossed.

The House took up the bill entitled, An act to extend the act incorporating State banks in New Jersey.

Which was considered by section, and ordered to be engrossed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act to prevent frauds by incorporated companies,

Without amendment; and

That the Council have passed a bill entitled, A further supplement to an act entitled, An act to empower the Governor of this State, to incorporate a company to cut a canal, to shorten the navigation of Salem creek, in the county of Salem, and State of New Jersey, passed November seventeenth, eighteen hundred.

A bill entitled, A supplement to an act entitled, An act concerning promissory notes, inland bills of exchange and notaries public, passed the thirtieth January, seventeen hundred and ninety-nine ; and

A bill entitled, An act to dissolve the marriage contract between George Young, and his wife Joanna Young.

To which bills they request the concurrence of the House of Assembly.

Which bills were severally read, and ordered second readings.

The House took up the amendments made by Council, to the bill from the House entitled, A supplement to the act entitled, An act directing the mode of entering judgment upon bonds, with warrants of attorney to confess judgments, passed twenty-fourth February, eighteen hundred and twenty.

Which amendments were disagreed to, and the Clerk ordered to inform Council accordingly.

The engrossed bill entitled, A supplement to an act entitled, An act, authorizing the enclosure of a certain tract of woodland, situate in the township of Saddle River, in the county of Bergen, passed February twenty-fifth, eighteen hundred and twenty-eight,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Black,
Clifford,
Coles,
Eayre,
Ellis,
Emley,
Evans,
Ewing, (Speaker.)
Farlee,
J. Foster,
Hancock,
Hillard,
Hopper,
Jackson,

Messrs. Lloyd,
Merkel,
Monro,
Pennington,
Potts,
Robbins,
Shinn,
Stites,
Stratton,
Townsend,
Vleit,
Voórhees,
Walling,
West,
Westervelt.

Wurts—31.

NAYS,

Messrs. Estell,

Messrs. N. Foster—2.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, An act to incorporate religious societies, worshipping according to the customs and usages of the protestant episcopal church,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Carson,
Clifford,
Coles,
Estell,
Ewing, (Speaker.)
Farlee,
J. Foster,
N. Foster.
Hancock,
Hillard,
Hopper,
Howell,
Jackson.

Messrs. Lloyd,
Merkel,
Monro,
Pennington,
Potts,
Robbins,
Stites,
Stratton,
Vleit,
Voorhees,
Walling,
West,
Westervelt,
Wurts.

Zabriskie—29.

NAYS,

Messrs. Black,
Eayre,
Ellis,

Messrs. Emley,
Evans,
Shinn,

Townsend—7.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to ten o'clock to-morrow morning.



TUESDAY, February 17, 1829.

Ten o'clock the House met.

Mr. Westervelt presented remonstrances of inhabitants of Bergen

county, against the application of the Morris Canal and Banking Company.

Which remonstrances were ordered to lie on the table.

Mr. Porter presented the petition of Joseph Bishop, of Camden, in the county of Gloucester, praying to be divorced from his wife, Rebecca.

Which petition was committed to Messrs. Porter, Shinn, and Nevius.

Mr. Black, from the committee to whom was committed the petition on that subject,

Reported a bill entitled, An act to regulate waggons, and other wheel carriages, within the State of New Jersey.

Which bill was read, ordered a second reading, and to be printed.

Mr. Stratton, from the committee to whom was referred the petition of Daniel McLaren, praying the cancelling or return of a certain bond,

Reported the following resolution:

Resolved, By the Council and General Assembly of this State, that the trustees of the school fund be authorized, if they shall consider it proper so to do, to deliver up a bond held by them against Daniel McLaren, for twenty-five thousand dollars, upon his transferring to the surviving trustee of the Lombard Bank, the stock pledged for the payment of the bond.

Which resolution reported by the committee, was read, and ordered to lie on the table.

Mr. Wurts, from the committee to whom was referred the several petitions, praying the Legislature to pass a law prohibiting the circulation of bank notes under the denomination of three dollars, and the remonstrance against the same,

Reported, That the subject with which the committee were intrusted, has received their serious and candid consideration. Such an investigation of it was required, not only from its own intrinsic importance, but from the number and respectability, both of the petitioners and remonstrants. The matter of inquiry is somewhat novel in its character in our State, and the committee have had considerable difficulty in arriving at a satisfactory conclusion in their own minds with respect to it.

The arguments usually advanced, both in favor of, and in opposition to, a law of the kind contemplated, are numerous and forcible.

The advocates urge as the consequence of such a law, (among other things,) an increased protection of the public against counterfeiters, a safe and sound metallic currency, a general diffusion of specie, tending to keep it in the country, and prevent its exportation, the expulsion of a flood of small notes of foreign origin; and safety to the poor and ignorant, in the settlement of their small accounts. Their opponents contend, that the precious metals now are counterfeited, and soon would be to a much greater extent, if stronger inducement is held out: that the public find a paper circulation much more convenient, and less burdensome than hard money, that operation of a law of that kind upon our banks, would be un-

just and oppressive, and might endanger their safety, by drawing from them too much of their specie capital; that general confusion would be produced by such a radical change in our circulating medium, and finally, that it would be difficult, if not impossible to enforce the law. The committee do not intend in this report, to enter into an examination of these opposing arguments, some of them are of weight, and all are entitled to consideration. When opinions are so contradictory, it may be safe to doubt the policy of the measure proposed, unless strong necessity exists for making an experiment. In the opinion of the committee, no such necessity exists at present. Should the Legislature be even favorably inclined to a law of the kind prayed for, they doubt whether the State expects, or is prepared for it.

The experience of other states will shed much light on this subject, by which a future Legislature may profit. A law prohibiting the circulation of notes under five dollars, is now in force in the states of Maryland and Pennsylvania, and is agitated in some others. With the latter state, New Jersey is intimately connected in trade and commerce, as well as social intercourse.

Her experience will be in the highest degree valuable to us, and in truth her law, from our particular location and intercourse with her, must in a very sensible manner, effect a large portion of our State. It is well known that our small bank notes, have heretofore had an extensive circulation in that state.

The law of Pennsylvania on this subject, met, and still meets, with a strong and decided opposition. It is true, their present legislature promptly resisted an effort that was made for its repeal, before it had, in fact, gone into operation; but it is no less true, that great diversity of opinion exist there, as regards the policy of the measure.

When so much division of sentiment prevails, upon a question which it must be admitted, is, as yet, a mere matter of speculation, all will concede, that experience will be the safer guide.

But a small portion of our own State, has, as yet, manifested any interest on this subject, and the committee consider it too important and too affecting to be hastily settled.

The committee, therefore, think it would be wise to wait, and see the effect of the Pennsylvania law, not only on herself, but upon us, and our banks. Should that effect be injurious to herself alone, we shall then be saved the hazard of an experiment, not generally called for by the State. And if the effect is such as to require legislation on our part, we can do it more understandingly when made aware of the injury sustained, as well as the benefit to be derived. Had the prayer of the petitioners been confined to the circulation of small notes of foreign banks, the committee would have felt more favourably inclined to it.

A law affecting those only, might perhaps be passed at once with advantage to our banks, and to the State generally. The committee are therefore of opinion, that the prayer of the petitioners should

not be granted at this time : and beg to be discharged from the further consideration of the subject.

By order of the committee,

ALEXANDER WURTS, *Chairman.*

Which report was read, and agreed to.

The engrossed bill entitled, An act to extend the act incorporating State banks in New Jersey,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, An act to provide for the improvement of the internal navigation of this State,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Coles,
Eayre,
Ellis,
Evans,
Farlee,
Godwin,
Hancock,
Hillard,
Howell,
Lloyd,

Messrs. Merkel,
Nevius,
Pennington,
Porter,
Potts,
Stites,
Stratton,
Voorhees,
Walling,
West,
Wurts—22,

NAYS,

Messrs. Black,
Booraem,
Carson,
Clifford,
Emley,
Estell,
Ewing, (Speaker,)
J. Foster,
N. Foster,
Hopper,

Messrs. Jackson,
Monro,
Robbins,
Shinn,
Smith,
Snowhill,
Townsend,
Vleit,
Westervelt,
Zabriskie—20.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The House adjourned to three o'clock in the afternoon.

Three o'clock the House met.

* Mr. Ellis presented the petition of the heirs and devisees of Thomas Parker, late of Monmouth county, deceased, praying for a law to authorise the sale and conveyance of certain real estate of said deceased.

Which petition was read, and committed to Messrs. Ellis, Stites, and Nevius.

Mr. Pennington, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to repeal an act entitled, An act to repeal the act, entitled, An act to drain the drowned lands, in the county of Sussex, passed the twenty-eighth day of November, eighteen hundred and six; and the supplement thereto, passed the twenty-fifth day of November, eighteen hundred and nine, and to revive the acts so repealed.

Which bill was read, and ordered a second reading.

Mr. Potts, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act to incorporate the South Amboy Oyster Company.

Which bill was read, and ordered a second reading.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act for the purpose of effecting an arrangement between the states of New Jersey and Pennsylvania, for the mutual use of the waters of the river Delaware, for canals and for other purposes,

With amendments.

To which amendments they request the concurrence of the House of Assembly.

Which amendments were read, and agreed to, and the bill, as amended, ordered to be re-engrossed.

The message informed, that the Council have passed the bill from the House of Assembly, entitled, An act for the punishment of crimes,

Without amendment; and

That in answer to the message from the House of Assembly of yesterday, the Council state, that they will be ready to go into a Joint Meeting, for the appointment of an attorney general, clerk of Middlesex, and such other civil and military officers, as may be necessary, on Friday next, at ten o'clock in the Assembly room: and

That the Council have so amended the message, as to provide for the appointment of a senator to represent this State, in the Congress

of the United States, to fill the vacancy, occasioned by the resignation of the honorable Mahlon Dickerson.

Which amendment to said message, the House agreed to, and the Clerk was ordered to inform Council accordingly.

The engrossed bill entitled, A supplement to the act entitled, An act to incorporate the Elizabethtown Mutual Assurance Fire Company, passed the tenth day of November, in the year of our Lord, eighteen hundred and twelve,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, An act to carry into effect, the partition of lands made by Richard Stout and Thomas Stout,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the speaker sign the same.

The engrossed bill entitled, An act to incorporate the Farmers and Mechanics' Bank of Middletown Point,

Was called up

On the question, recurring, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Booraem,
Carson,
Eayre,
Ellis,
Evans,
Godwin,
Hancock,
Hillard,
Howell,
Jackson,
Lloyd,
Merkel,

Messrs. Monro,
Nevius,
Pennington,
Porter,
Potts,
Robbins,
Snowhill,
Stratton,
Vleit,
Voorhees,
Walling,
West,

Westervelt—25.

NAYS,

Messrs. Annin,
Black,
Clifford,
Coles,
Emley,
Estell,
Ewing, (Speaker.)

Messrs. Farlee,
J. Foster,
N. Foster,
Hopper,
Stites,
Townsend,
Wurts,

Zabriskie—15.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The engrossed bill entitled, An act to dissolve the marriage contract between Joseph Snyder and Charlotte, his wife,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows :

YEAS,

Messrs. Annin,
Carson,
Clifford,
Coles,
Eayre,
Emley,
Estell,
Ewing, (Speaker.)
Farlee,
J. Foster,

Messrs. N. Foster,
Godwin,
Hancock,
Hillard,
Hopper,
Lloyd,
Robbins,
Smith,
Voorhees,
Walling,

West—21.

NAYS,

Messrs. Black,
Booraem,
Howell,
Ellis,
Jackson,
Merkel,
Monro,
Nevius,
Pennington,

Messrs. Porter,
Potts,
Snowhill,
Stites,
Stratton,
Townsend,
Vleit,
Westervelt.
Wurts,

Zabriskie—19.

The House resolved itself into a committee of the whole, Mr. Stites in the chair, on the bill from Council entitled, An act to restore the navigation of Woodbury creek, in the county of Gloucester, and after spending some time therein, the committee rose, reported progress, and obtained leave to sit again.

The House adjourned to nine o'clock to-morrow morning.

WEDNESDAY, February 18, 1829.

Nine o'clock the House met.

Mr. Zabriskie presented a remonstrance from inhabitants of Paterson and vicinity, in Essex county, against the application of the Morris Canal and Banking Company.

Which was ordered to lie on the table.

Mr. Lloyd presented a remonstrance from inhabitants of Monmouth county, against the passage of a law to prohibit the circulation of small notes.

Which remonstrance was ordered to lie on the table.

Mr. Porter, from the committee to whom was referred the petition of sundry inhabitants of the township of Newton, in the county of Gloucester, praying for an act to authorize a new township to be set off from the same, to be called the township of Camden,

Reported, That the petitioners have leave to present a bill on the second Wednesday of the next sitting of the Legislature, they advertising the same three weeks immediately preceding said application, in a newspaper printed in the city of Camden.

Which report was read, and agreed to.

Mr. Godwin, from the committee appointed on the subject of the militia law, and to which various military matters were referred,

Reported, That they deem it inexpedient to revise, or materially to alter the militia law, under the impression that Congress will soon pass a law to effect alike, all the states of the Union. The committee has given the various subjects referred to them, due consideration, and present herewith a bill, including in its provisions, such of them, as in their judgment, are deemed necessary to be acted upon at this session of the Legislature. The committee deem it unnecessary for the State to build at this period, an arsenal for the preservation of the public arms, believing that the distribution of them to the several brigades, to be the true policy and interest of the State, which is provided for by the bill above referred to. To meet the views of the officers of the Warren brigade, who have petitioned to have the militia law of the State, published and distributed, they respectfully report the following resolution:

Resolved, That the Adjutant General be, and he hereby is required to embody all the laws, and supplements of laws, now extant, which relate to the militia of this State, and present the same to the next Legislature, on the second Tuesday of their session.

Which report was read, and ordered to lie on the table, and to be printed.

Mr. Godwin also reported a bill entitled, An act for the distribution of the public arms, and further to regulate the militia service and fire companies of the State.

Which bill was read, and ordered a second reading, and to be printed.

On motion of Mr. Godwin, the House re-considered their vote of yesterday, on the subject of refusing to grant a second reading to the bill entitled, An act to repeal an act entitled, An act to repeal the act entitled, An act to drain the drowned lands in the county of Sussex, passed the twenty-eight day of November, eighteen hundred and six, and the supplement thereto, passed the twenty-fifth day of November, eighteen hundred and nine, and to revive the acts so repealed.

And said bill was read, and ordered a second reading.

Mr. Godwin, with leave, presented a bill entitled, An act for the sale of part of the land at Paterson, belonging to the State.

Which bill was read, ordered a second reading, and to be printed.

The bill entitled, An act to set off parts of the counties of Monmouth, and Burlington, into a new county to be called Atlantic,

Was called up, and postponed to the next session of the Legislature.

The report of the committee, on the account of the State prison, Was called up, agreed to, and sent to Council for concurrence.

The bill entitled, An act to incorporate the South Amboy Oyster Company,

Was read a second time, and indefinitely postponed.

The bill entitled, An act for the relief of William Demund, was read a second time, the first section disagreed to, and the bill dismissed.

The bill entitled, An additional supplement, to the act, entitled an act to incorporate the Orange and Sussex Canal Company, passed the tenth day of December, eighteen hundred and twenty-three,

Was read a second time, considered by section, and ordered to be engrossed.

On motion of Mr. Wurts, the House resolved to re-consider the vote on the engrossed bill entitled, An act to dissolve the marriage contract between Joseph Snyder and Charlotte his wife, which bill was again placed on the files of the House.

On the question recurring, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Annin,
Booraem.
Clifford,
Coles,
Eayre,
Ellis,

Messrs. Emley,
Estell,
Evans,
Ewing, (Speaker.)
Farlee,
J. Foster,

Messrs. N. Foster,
Godwin,
Hancock,
Jackson,
Lloyd,
Merkel,
Robbins,

Messrs. Shinn,
Smith,
Snowhill,
Stites,
Voorhees,
Walling,
West—26.

NAYS,

Messrs. Black,
Monro,
Nevius,
Pennington,
Porter,
Potts,

Messrs. Stratton,
Townsend,
Vleit,
Westervelt,
Wurts,
Zabriskie—12.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The re-engrossed bill entitled, An act for the purpose of effecting an arrangement between the states of New Jersey and Pennsylvania, for the mutual use of the waters of the river Delaware, for canal and other purposes,

Was read and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Black,
Booraem,
Coles,
Eayre,
Ellis,
Emley,
Estell,
Evans,
Ewing, (Speaker.)
Farlee,
J. Foster,
N. Foster,
Godwin,
Hancock,
Howell,
Jackson,

Messrs. Lloyd,
Merkel,
Monro,
Nevius,
Porter,
Potts,
Shinn,
Smith,
Snowhill,
Stites,
Stratton,
Townsend,
Voorhees,
Walling,
West,
Westervelt,
Wurts,

Zabriskie—35.

NAYS,

Messrs. Clifford,

Messrs. Robbins,
Vleit—3.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that the amendments made thereto by Council, have been agreed to by this House, and that they have caused said bill to be re-engrossed.

The House resumed the consideration of the bill entitled, An act making provision for carrying into effect, the act for the punishment of crimes.

Which was progressed in by section, and while under consideration,

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Wurts presented the petition of sundry inhabitants of Hunterdon county, in favor of a canal from Hunt's Mills, along the Raritan to Amboy.

Which petition was referred to the committee on that subject.

Mr. Ellis, from the committee to whom was referred the petition on that subject,

Reported a bill entitled, An act for appointing a trustee to sell and convey the real estate of Thomas Parker, deceased.

Which bill was read, and ordered a second reading.

Mr. Lloyd, from the committee to whom was referred the bill entitled, An act to encourage the breed of horses,

Reported a substitute for the same.

Which bill was read, and ordered a second reading.

Mr. Smith, from the committee to whom was referred the engrossed bill entitled, An act concerning the public wharf, streets, and highways, in the township of Salem,

Reported the same with amendments, and the title so amended as to read, An act concerning the public streets, and highways, in the township of Salem.

Which amendments were read, agreed to, and the bill as amended, ordered to be again engrossed.

Mr. Wurts, from the committee to whom was referred the memorial of certain citizens of the county of Hunterdon, complaining of the official conduct of Henry Miller, Esq. a justice of the peace of said county, and praying the interference of this House,

Reported, That the charges of official misconduct contained in the memorial, are of a gross and aggravated nature, and if true, imperiously demands the interference of this House.

They are, however, so general in their character, and indefinite

as to time, that the committee did not feel authorized to act upon them, in that form, without doing injustice to the accused, and perhaps causing an unnecessary expenditure of time and money.

The complainants were therefore informed, that without a verification, by affidavit, of one or more particular acts of misconduct, sufficiently criminal to warrant the interference of the House, the committee would not feel at liberty to prosecute the investigation. The memorialists subsequently submitted to the committee, several affidavits which accompany this report, disclosing certain official acts of the magistrate complained of, in the highest degree reprehensible. The committee would not, however, be understood, as considering these transactions entirely true as stated, any further than *exparte* evidence goes to support them. It is to be hoped, that the justice may have it in his power, at the proper time, so to explain them, that the charge of corruption, so strongly suspected now, may fall to the ground, and our judiciary be saved from so foul a stain. It must be said, however, that part of the evidence in support of the charge, is at present of a strong and decided character. The justice has forwarded to the committee some affidavits, impeaching the credit of some of the witnesses on the part of the complainants. These depositions are also submitted to the House. The committee did not feel authorized to call upon the magistrate for his defence. They considered it their duty merely to enquire into the proof of the complaints, and whether, if proved, they were of sufficient magnitude to require an impeachment on the part of this House. Our constitution has provided another tribunal to try the presentment, if made by this House, and before whom the accused will have an opportunity of defending himself.

The mere whisper of corruption in our judiciary, should excite the attention of the House, much more than the open allegation of it supported by strong testimony, although *exparte*.

The committee, however, refrain from recommending articles of impeachment against the magistrate in question, at the present time, not because they doubt the sufficiency of the facts in evidence before them to ground an accusation on, but on account of the impossibility of having it tried, with proper regard to the rights of the accused, during the present session of the Legislature, which is so rapidly drawing to a close. And if credit is to be given to the affidavits of the complainants, we may add that *examination* of witnesses, before the committee, did time permit, would both multiply and strengthen the grounds of accusation. This examination has not been gone into by the committee, although, vested with power so to do, merely for want of time. The distance at which the complainants reside, and the time necessarily consumed in *procuring* the affidavits before referred to, and which have lately come to hand, have protracted the proceeding to this late day.

The committee are not willing, however, that this investigation should be abandoned, merely from want of time. This would be a precedent of dangerous tendency. They would respectfully advise, that the memorial and affidavits be filed, and recommended to

the early attention of the next Legislature. The serious nature of the charges, the strong evidence in support of them, the rights of the public, as well as of the accused himself, all seem to favor the course proposed.

The following resolution is submitted to the House:

Resolved, That the memorial of certain citizens of the county of Hunterdon, complaining of the official conduct of Henry Miller, Esq. a justice of the peace, of said county, with the accompanying affidavits, be recommended to the early attention of the next Legislature.

Which report was read, and agreed to.

The House resolved itself into a committee of the whole, Mr. Stites in the chair, on the bill from Council entitled, An act to restore the navigation of Woodbury creek, in the county of Gloucester, and after spending some time therein, the committee rose, and reported the bill to the House,

Without amendment.

The House then proceeded to the consideration of said bill.

Which was read a second time, gone through with by section, and ordered to a third reading.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly entitled, An act to carry into effect the partition of lands made by Richard Stout, and Thomas Stout; and

The bill from the House of Assembly entitled, An act to repeal an act establishing the township of Centreville, in Salem county, and the supplement thereto,

Respectively, without amendment;

And that the Council have passed a bill entitled, An act to authorize Abraham C. Van Dorn, and John Van Dorn, executors of Christian Van Dorn, deceased, to fulfil a certain contract made by the deceased, with one Joseph Vittenger; and

That the Council have passed a resolution, authorizing, and requiring the attorney general to perform a specified act, &c.

To which bill and resolution, they request the concurrence of the House of Assembly.

Which bill was read, and ordered a second reading; and

Which resolution was read, and ordered to lie on the table.

The bill entitled, An act to incorporate the Evesham and Northampton Manufacturing Company,

Was read a second time, and while under consideration,

The House adjourned to nine o'clock to-morrow morning.

THURSDAY, February 19, 1829.

Nine o'clock the House met.

Mr. Ellis presented the petition of Lydia Russel, widow of John Russel, a soldier of the revolution, of the third regiment of the Monmouth militia; praying the continuance of the pension to her, that was formerly paid to her husband in his life time.

Which petition was read, and committed to Messrs. Ellis, Potts, and Booraem.

Mr. Lloyd, from the committee to whom was referred the petition of a number of the inhabitants of Shrewsbury, in the county of Monmouth, praying leave to make a public wharf, or dock, in the edge of the navigable waters of the Neversink river, at Red Bank,

Reported, That the petitioners have liberty to bring in a bill for the above purpose, on the second Wednesday of the next session of the Legislature, they giving six weeks public notice, by advertisements, in three of the most public places contiguous to the premises.

By order of the committee.

JAMES LLOYD, *Chairman.*

Which report was read; and agreed to.

Mr. Lloyd from the committee to whom was referred the statement of the president and cashier of the Monmouth Bank, in relation to the concerns of that institution,

Reported, That they have examined the said statement and report, accompanying the same, and have also heard and considered the allegations made by the president and cashier of said bank, in regard to its present insolvent condition, and the causes which produced a suspension of their business. From this examination it appears, that the debts of said bank may be stated as follows, viz:

Amount of notes in circulation,	\$ 58,220
Amount of deposits, made to meet in part payment of notes discounted,	123 95
	<hr/>
	\$58,343 95

To meet this amount, the company have the following funds, viz:

Notes discounted, and outstanding,	\$ 7,797 21
Specie on hand,	2,180 49
Foreign notes,	1,065

\$11,222 70

These may be considered as the only certainties belonging to the company, judgments have however been entered in their favor, against John Lewis, Lewis T. Miller, Stephen H. Hoyt, Nathaniel Hoyt, Edward H. Wilson, and John G. Huges, amounting, in the whole, to

\$ 79,573 19

Of this sum, the company expect to realize only the sum of

2,000 00

To which, add the amount of certainties,

11,222 70

13,222 70

The amount of debts due from the bank, viz :

58,343 95

May be reduced by the amount of notes discounted, which your committee believe, will most probably be paid in notes of the bank,

7,977 21

50,360 74

To meet which, the company will have in specie, foreign notes, and the probable receipts on judgments, as before stated,

5,245 49

Being about ten cents on the dollar, which may be increased a little, by the liquidation of some property belonging to the company, such as fixtures, plates, papers, &c. but to which your committee can attach no definite value.

It appears from a statement exhibited to your committee, verified by the oath of the president and cashier, that on the tenth day of March, eighteen hundred and twenty-eight, the bank was in a solvent state, and continued so till about the first day of May following, between which time and the twentieth of June last, the embezzlement of the funds of the bank took place, which produced its present insolvency. As the facts in relation to this embezzlement of the funds, and the agents concerned therein, are fully set forth in the report of the president and cashier, accompanying the statement transmitted to the House by them, your committee beg leave to refer the House to that report, which has been found to be substantially correct.

Upon reference of this subject to your committee, they deemed it proper to notify the individuals implicated in the report above referred to, and informing them that an opportunity would be given them, to meet the charges in said report before the committee, if they thought proper to do so. From several of them, communications have been received, all which were carefully examined, but in the opinion of your committee they contain no evidence which dissolves them from the imputations contained in said report.

How far Mr. Phelps and Mr. Richards, whose names are men-

tioned in said report, were concerned in the frauds committed upon this institution, or whether they had any agency therein, your committee have not been able fully to ascertain. There is just ground however to conclude, that the former did not act in good faith towards the bank. The active agents, in this most corrupt transaction, were the persons against whom judgments have been obtained by the company, as above stated; who are represented to be insolvent, and who it is evident, contemplated these frauds when they became stockholders. In regard to the officers of the bank, and such directors as reside in this State, your committee are fully of opinion, that no suspicion of fraudulent intent can attach to them. Yet they cannot refrain from remarking, that a very imprudent and unwarrantable confidence was reposed by them, in the persons above referred to, without having adopted such measures for ascertaining their character, and standing as might have been within their reach. Under this impression and belief, your committee would respectfully suggest the propriety of suffering the president and cashier, with the aid and advice of such of the directors as reside in New Jersey, to progress in the settlement of the concerns of said bank, and that the power and authority to repeal their charter be not exercised for the present. All of which is respectfully submitted,

By order of the committee,

JAMES LLOYD, *Chairman,*

Which report was read, and ordered to lie on the table.

Mr. Carson, from the committee to whom was referred the report adopted by the legislature of the state of Georgia, on the resolutions of South Carolina and Ohio, have duly considered the same, and beg leave to

Report, That they have read, with deep concern, the avowal of sentiment by the legislature of Georgia, in relation to the powers of our general government, and the means of correcting the erroneous, or unlawful exercise of those powers.

The committee readily assent to the constitutional doctrine, involved in our national compact, that the powers not delegated to the United States by the constitution, are reserved to the states respectively, or to the people; but when the legislature of Georgia would deduce from this position, as a legitimate corollary, that the states have the unquestionable right, in case of any infraction of the general compact, not only to refuse obedience to any measure of the general government, but to seek redress for their wrongs, by all the means, rightfully exercised by a sovereign and independant government; your committee cannot refrain from the expression of their surprise, that a pretension so dangerous and unfounded, should receive serious countenance from a legislative body. Has nothing been gained by the union of our states; a union founded by the wise councils of our fathers, a union around which all that is dear to us as a great republic, revolves, nothing but the right of each state, to adhere to it, so long as she may think, and judge its principles are not violated, but no longer; and when she may, in the moment of excitement, and deem the general compact infringed, then to pos-

sess the unquestionable right, to resist, and to seek such redress, by all the means rightfully exercised by a sovereign and independant government? If this be all the fruits of this last experiment of liberty—then indeed, shall we soon pass away, and add another to the catalogue of ruined republics.

The committee cannot fail to perceive, in the novel, and extraordinary assertion of rights, a doctrine fraught with alarming evils, and hostile to the very existence of our government.

The wise framers of our constitution, foresaw that causes of dissatisfaction with the administration of our general government, might, and probably would exist, and they therefore engrafted some wholesome provisions, constituting an independant judiciary, with full power and authority to set in judgment upon the proceedings of our national legislature, and to annul and make void any act, section, or clause, that should violate the constitution of these United States. And where we ask with confidence, could this delicate and high trust be more safely confided? Here is a common arbiter created by ourselves, to whom all may appeal. The report of the legislature of Georgia, places the right of sitting in judgment, upon the acts of congress, in each respective state. Then it will be perceived, that each member of this union, becomes the arbiter on the peace of the whole, and may lawfully, and of its own mere motion, raise the standard of rebellion. The committee do not think it necessary to enter into a discussion of the right of congress to enact tariff laws, and to legislate on the subject of slavery. With respect to the first of these matters, the committee believe that a judicious tariff is essential to our national independance, not to oppress our sister states, or impose unequal burthens, but to preserve us from becoming hewers of wood and drawers of water to another nation, who would selfishly deluge our markets with their fabrics, and leave our productions to moulder and rot on our hands.

The committee are aware that our southern brethren are justly sensitive on the question of slavery. We sympathise with them in the existence of an evil, which should always be approached with caution and delicacy, but we regret that the legislature of Georgia should have felt it to be at all necessary, hastily to condemn the efforts of philanthropy, successfully prosecuted, in mitigating the evils of slavery; and that they should select as an object of marked and peculiar censure, the noble scheme of the American Colonization Society.

Your committee therefore submit the following resolutions:

Resolved By the Council and General Assembly of this State, That this Legislature cannot concur with the report adopted by the legislature of the state of Georgia, on the resolutions of South Carolina and Ohio.

Resolved, That his Excellency, the Governor, be requested to transmit copies of the foregoing preamble and resolutions to the governors of the several states, with a request that the same be laid before the legislatures of their respective states; and also to our

senators and representatives in congress, to be by them, laid before congress.

Which report was read, and ordered to lie on the table.

The engrossed bill entitled, A further supplement to the act entitled, An act for the better relief and employment of the poor, in the county of Salem, passed March twelfth, seventeen hundred and ninety-six,

Was called up, and postponed to the next session of the Legislature.

The House resumed the consideration of the bill entitled, An act to incorporate the Evesham and Northampton Manufacturing Company.

Which was gone through with by section, and ordered to be engrossed.

The bill entitled, An act for appointing a trustee to sell and convey the real estate of Thomas Parker, deceased,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill entitled, An act for the sale of part of the land at Pater-son, belonging to this State,

Was read a second time, considered by section, and ordered to be engrossed.

The House resumed the consideration of the bill entitled, An act making provision for carrying into effect the act for the punishment of crimes.

Which was gone through with by section, and ordered to be engrossed.

The bill from Council, entitled, An act to restore the navigation of Woodbury creek, in the county of Gloucester,

Was read a third time.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Booraem,
Clifford,
Coles,
Evans,
Farlee,
N. Foster,
Godwin,
Hillard,
Hopper,
Jackson,
Lloyd,
Merkel,

Messrs. Monro,
Pennington,
Porter,
Robbins,
Shinn,
Snowhill,
Stites,
Stratton,
Vleit,
Voorhees,
Walling,
West,
Westervelt,

NAYS.

Messrs. Black,
Eayre,
Ellis,
Emley,
Estell,
Ewing, (Speaker.)
J. Foster,

Messrs. Hancock,
Howell,
Nevius,
Potts,
Smith,
Townsend,
Wurts—14.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council, that the House have passed said bill,

Without amendment.

The engrossed bill entitled, An act concerning the public streets and highways, in the township of Salem,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Booraem,
Clifford,
Coles,
Eayre,
Ellis,
Estell,
Evans,
Ewing, (Speaker.)
Farlee,
J. Foster,
N. Foster,
Godwin,
Hancock,
Hillard,
Hopper,
Jackson,
Lloyd,
Merkel,

Messrs. Monro,
Nevius,
Pennington,
Porter,
Potts,
Robbins,
Shinn,
Smith,
Snowhill,
Stites,
Stratton,
Townsend,
Vleit,
Voorhees,
Walling,
West,
Westervelt,
Wurts,
Zabriskie—38.

NAYS,

Messrs. Black,

Messrs. Emley—2.

Ordered. That the Speaker sign the same.

The engrossed bill entitled, An additional supplement to the act entitled, An act to incorporate the Orange and Sussex Canal Company, passed the tenth day of December, eighteen hundred and twenty-three,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Black,
Carson,
Clifford,
Coles,
Eayre,
Ellis,
Evans,
Ewing, (Speaker.)
Farlee,
J. Foster,
Godwin,
Hillard,

Messrs. Lloyd,
Merkel,
Monro,
Nevius,
Pennington,
Porter,
Potts,
Shinn,
Snowhill,
Stratton,
Voorhees,
Walling,
West.

Wurts—27.

NAYS,

Messrs. Booraem,
Emley,
Estell,
N. Foster,
Hancock,
Hopper,
Howell,

Messrs. Robbins,
Smith,
Stites,
Townsend,
Vleit,
Westervelt,
Zabriskie—14.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The engrossed bill entitled, An act for the relief of the Morris Canal and Banking Company,

Was read a third time, and compared.

On the question, shall this bill pass.

It was decided in the negative, as follows :

YEAS,

Messrs. Hillard,

Messrs. Jackson,
Merkel—3.

NAYS,

Messrs. Annin,
Black,
Booraem,
Carson,
Clifford,

Messrs. Coles,
Eayre,
Ellis,
Emley,
Estell,

Messrs. Evans,
 Ewing, (Speaker.)
 Farlee,
 J. Foster,
 N Foster,
 Godwin,
 Hopper,
 Howell,
 Lloyd,
 Monro,
 Nevius,
 Pennington,
 Porter,
 Potts,

Messrs. Robbins.
 Shinn,
 Smith,
 Snowhill,
 Stites,
 Stratton,
 Townsend,
 Vleit,
 Voorhees,
 Walling,
 West,
 Westervelt,
 Wurts,
 Zabriskie—38.

Mr. Jackson, with leave, presented a bill entitled, An act to authorize the Morris Canal and Banking Company, to borrow money, and for other purposes.

Which bill was read a first and second times, gone through with by section, and ordered to be engrossed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Wurts presented the memorial of Daniel Coleman, of Trenton, complaining of the injurious operation, upon him as Secretary of the Council, of said State, of the seventh section, of the supplement to the act providing for the publication and distribution of the laws, and proceedings of the Legislature, and praying its repeal.

Which petition was read, and committed to Messrs. Wurts, Pennington, and Jackson.

Mr. Ellis, from the committee to whom was referred the petition on that subject,

Reported, a bill entitled, An act for the relief of Lydia Russel.

Which bill was read, and ordered a second reading.

Mr. Pennington, with leave, presented a bill entitled, A supplement to the act entitled, An act for the punishment of crimes, passed February seventeenth, eighteen hundred and twenty-nine.

Which bill was read, a first and second times, considered by section, and ordered to be engrossed.

Mr. Godwin submitted the following resolution:

Resolved, by the Council and General Assembly of this State, that the Quarter-master General be, and he hereby is authorized, to de-

liver to Captain James Miller, of Newark, as many stand of arms, as he may require for the use of the company, commanded by him : for which proper vouchers are to be given. The number to be included in the quota of arms to be apportioned, according to the law of this State, to the Essex brigade, subject to the disposition of the brigade board, when the arms shall be apportioned and distributed.

Which resolution was read, agreed to, the Speaker ordered to sign the same, and the Clerk ordered to carry the same to Council, and request their concurrence therein.

The House resumed the consideration of the bill entitled, An act to raise the sum of forty thousand dollars, for the year eighteen hundred and twenty-nine.

Which was gone through with by section, and ordered to be engrossed.

The bill entitled, An act for the distribution of the public arms, and further to regulate the militia service, and fire companies of the State,

Was read a second time, gone through with by section, and ordered to be engrossed.

The bill from Council, entitled, A further supplement to the act entitled, An act to empower the Governor of this State, to incorporate a company to cut a canal to shorten the navigation of Salem creek, in the county of Salem, and State of New Jersey, passed November seventeenth, one thousand eight hundred,

Was read a second time, gone through with by section, and ordered a third reading.

On motion, the said bill was read a third time.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Black,
Carson,
Clifford,
Coles,
Fayre,
Ellis,
Emley,
Estell,
Evans,
Ewing, (Speaker.)
Farlee,
J. Foster,
N. Foster,
Godwin,
Hancock,
Hillard,
Hopper,

Messrs. Howell,
Jackson,
Lloyd,
Merkel,
Monro,
Nevius,
Pennington,
Porter,
Potts,
Seeley,
Shinn,
Smith,
Snowhill,
Stites,
Stratton,
Townsend,
Voorhees,
Walling,

Messrs. West,
Westervelt,

Messrs. Wurts.
Zabriskie—40.

NAYS,

Messrs. Robbins,

Messrs. Vleit—2.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council, that the House have passed said bill,

Without amendment.

The House then went into their nominations of candidates, for offices to be filled the ensuing Joint Meeting.

Which were read, and compared, and a duplicate thereof sent to Council.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have disagreed to the bill from the House of Assembly entitled, An act to incorporate the Farmers and Mechanics' Bank of Middletown Point; and

That the Council have receded from their amendment to the bill from the House of Assembly entitled, A supplement to the act entitled, An act, directing the mode of entering judgments upon bonds with warrants of attorney to confess judgments, passed the twenty-fourth of February, eighteen hundred and twenty;

And have passed said bills, without amendment; and also

That the Council have passed the bill from the House of Assembly entitled, An act to incorporate religious societies, worshipping according to the customs and usages of the protestant episcopal church.

The bill entitled, An act to extend the act incorporating State banks in New Jersey; and

The bill entitled, A supplement to an act entitled, An act authorizing the enclosure of a certain tract of woodland, situate in the township of Saddle River, in the county of Bergen, passed February twenty-fifth, eighteen hundred and twenty eight; respectively

Without amendment; and

The message informed, that the Council have passed a bill entitled, An act to protect certain real property, of John H. Leake, deceased; and

A bill entitled, A supplement to an act entitled, An act for the relief of the State Bank at Trenton, passed fourth March, eighteen hundred and twenty eight.

To which bills they request the concurrence of the House of Assembly.

Which bills were severally read, and ordered a second reading.

The House took up the resolution, reported by the committee on the seventeenth instant, for authorizing the trustees of the school fund, to deliver to Daniel McLaren, if they shall think proper, a certain bond, for twenty-five thousand dollars, on condition of his making a transfer of certain stock in the Lombard Bank.

Which resolution was read, and on the question of agreeing to the same, the yeas and nays being required, were as follows :

YEAS,

Messrs. Annin,
Carson,
Ewing, (Speaker.)
Godwin,
Hancock,
Hopper,
Howell,

Messrs. Merkel,
Pennington,
Potts,
Stites,
Stratton,
Voorhees,
Wurts—14.

NAYS,

Messrs. Black,
Clifford,
Coles,
Eayre,
Ellis,
Emley,
Estell,
Evans,
Farlee,
J. Foster,
Hillard,
Jackson,
Lloyd,

Messrs. Monro,
Nevius,
Porter,
Robbins,
Seeley,
Shinn,
Snowhill,
Townsend,
Vleit,
Walling,
West,
Westervelt,
Zabriskie—26.

So the resolution was disagreed to.

The House adjourned to nine o'clock to-morrow morning.



FRIDAY, February 20, 1829.

Nine o'clock the House met.

Mr. Robbins presented a petition from a number of the inhabitants of Warren county, praying a law for the more complete equalization of taxes.

Which petition was read, and referred to the committee on that subject.

The engrossed bill entitled, An act to incorporate the Evesham and Northampton Manufacturing Company,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Black,
Booraem,
Carson,
Clifford,
Coles,
Eayre,
Ellis,
Emley,
Estell,
Evans,
Ewing, (Speaker.)
Farlee,
J. Foster,
N. Foster,
Godwin,
Hancock,
Hillard,

Messrs. Hopper,
Howell,
Jackson,
Mouro,
Nevius,
Pennington,
Porter,
Potts,
Seeley,
Smith,
Snowhill,
Stites,
Stratton,
Townsend,
Voorhees,
Walling,
West,
Wurts,

Zabriskie—37.

NAYS,

Messrs. Merkel,
Robbins,

Messrs. Vleit,
Westervelt—4.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, An act making provision for carrying into effect the act for the punishment of crimes,

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The Council came into the Assembly Room, the two Houses went into a Joint Meeting, and after going through their appointments in part, the Joint Meeting adjourned, the House came to order, and

Adjourned to three o'clock in the afternoon.

Three o'clock the House met.

Council came into the Assembly Room, the two Houses went into a Joint Meeting, and after going through their appointments, the Joint Meeting rose, and the House came to order.

The engrossed bill entitled, An act to raise the sum of forty thousand dollars, for the year one thousand eight hundred and twenty-nine,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, An act for the sale of part of the land at Paterson, belonging to the State,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, An act to authorize the Morris Canal and Banking Company, to borrow money, and for other purposes,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, A supplement to the act entitled, An act for the punishment of crimes, passed February seventeenth, eighteen hundred and twenty-nine,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, An act for the distribution of the public arms, and further to regulate the militia service, and fire companies of this State,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Annin,

Coles.

Ellis,

Ewing, (Speaker.)

N. Foster,

Godwin,

Messrs. Hillard,

Hopper,

Jackson,

Lloyd,

Merkel,

Nevius,

Messrs. Pennington,
Porter,
Potts,
Seeley,
Smith,
Snowhill,

Messrs. Stratton,
Voorhees,
Walling,
West,
Westervelt,
Zabriskie—24.

NAYS,

Messrs. Black,
Clifford,
Emley,
Estell,
Evans,

Messrs. Farlee,
Monro,
Robbins,
Shinn,
Townsend,

Wurts—11.

Ordered, That the Speaker sign the same.

The engrossed bill entitled, An act for appointing a trustee to sell and convey the real estate of Thomas Parker, deceased.

Was read a third time, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Black,
Clifford,
Coles,
Eayre,
Ellis,
Emley,
Estell,
Evans,
Ewing, (Speaker,)
Farlee,
J. Foster,
N. Foster,
Godwin,
Hillard,
Hopper,
Jackson,
Lloyd,

Messrs. Merkel,
Monro,
Nevius,
Pennington,
Porter,
Potts,
Robbins,
Seeley,
Smith,
Snowhill,
Stratton,
Townsend,
Voorhees,
Walling,
West,
Westervelt,
Wurts,
Zabriskie—36.

NAY,

Mr. Shinn.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bills to Council, inform them that they have been passed by this House, and request their concurrence therein.

The bill from Council entitled, An act to authorize Abraham C. Van Dorn, and John C. Van Dorn, executors of Christian Van Dorn deceased, to fulfil a certain contract, made by deceased, with one Joseph Pittenger,

Was read a second time, considered by section, and ordered a third reading.

The bill entitled, A further supplement to the act to regulate the practice of the courts of law, passed February fourteenth, seventeen hundred and ninety nine,

Was read a second time, the first section disagreed to, and the bill dismissed.

The bill entitled, An act to authorize John Budd, of the county of Morris, to remove the obstructions from the outled of Budd's lake, in said county of Morris,

Was read a second time, considered by section, and ordered to be engrossed.

The bill entitled, An act for the relief of Lydia Russel,

Was read a second time, considered by section, and ordered to be engrossed.

The House adjourned to nine o'clock to-morrow morning.



SATURDAY, February 21, 1829.

Nine o'clock the House met.

Mr. Porter, from the committee to whom was referred the petition of John Dawson, praying for a divorce from his wife,

Reported, That the case, as set forth by the petition and affidavits, is not such as in their opinion, requires the interference of the Legislature.

Which report was read, and agreed to.

Mr. Carson, from the committee to whom was referred the bill on the subject of allowing Thomas Applegate, to send out of the United States, a slave convicted of burning his barn, and other out buildings,

Reported, That they have fully investigated the subject matter contained in said bill, and that they consider it to be a case that cannot properly be provided for, by a legislative enactment.

Which report was read and agreed to, and the bill ordered to be dismissed.

The bill entitled, An act to repeal an act entitled, An act to repeal the act entitled, An act to drain the drowned lands, in the county of Sussex, passed the twenty-eighth day of November, eighteen hundred and six, and the supplement thereto, passed the twenty-fifth day of November, eighteen hundred and nine, and to revive the acts so repealed,

Was called up, and postponed to the next sitting of the Legislature.

The bill from Council entitled, A supplement to an act entitled, An act concerning promissory notes, inland bills of exchange, and notaries public, passed the thirtieth of January, seventeen hundred and ninety-nine,

Was read a second time, gone through with by section, and ordered a third reading

The bill from Council entitled, An act to authorize Abraham C. Van Dorn and John C. Van Dorn, executors of Christian Van Dorn deceased, to fulfil a certain contract, made by deceased, with one Joseph Pittenger,

Was read a third time.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Annin,
Black,
Carson,
Coles,
Eayre,
Ellis,
Emley,
Estell,
Evans,
Ewing, (Speaker.)
Farlee,
J. Foster,
N. Foster,
Godwin,
Hancock,
Hillard.
Hopper,
Howell,
Jackson,

Messrs. Lloyd,
Merkel,
Monro,
Nevius,
Porter,
Potts,
Robbins,
Shinn,
Snowhill,
Stites,
Stratton,
Townsend,
Vleit,
Voorhees,
Walling,
West,
Westervelt,
Wurts,
Zabriskie—38.

NAY,

Mr. Seeley.

Ordered, That the Speaker sign the same.

The bill from Council entitled, A supplement to an act entitled, An act for the relief of the State Bank at Trenton, passed fourth of March, eighteen hundred and twenty-eight,

Was read a second time, considered by section, and ordered a third reading.

On motion, said bill was read a third time.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Coles,
Ellis,
Emley,
Estell,
Evans,
Ewing, (Speaker.)
Farlee,
J. Foster,
N. Foster,
Godwin,
Hancock,
Hillard,
Hopper,
Howell,

Messrs. Jackson,
Lloyd,
Monro,
Pennington,
Porter,
Potts,
Seeley,
Snowhill,
Stites,
Stratton,
Voorhees,
Walling,
West,
Westervelt,
Zabriskie—30.

NAYS,

Messrs. Black,
Eayre,
Howell,
Merkel,
Nevius,

Messrs. Robbins,
Shinn,
Townsend,
Vleit,
Wurts—10,

Ordered, That the Speaker sign the same.

The bill from Council entitled, An act to protect certain real property of John G. Leake,

Was read a second time, considered by section, and ordered a third reading.

On motion, said bill was read a third time.

On the question, shall this bill pass?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,
Black,
Coles,
Eayre,
Ellis,
Emley,
Estell,
Evans,
Farlee,

Messrs. N. Foster,
Godwin,
Hancock,
Hopper,
Howell,
Jackson,
Lloyd,
Monro,
Nevius,

Messrs. Pennington,
Porter,
Potts,
Robbins,
Seeley,
Shinn,
Snowhill,

Messrs. Stites,
Townsend,
Voorhees,
Walling,
West,
Westervelt.
Wurts,

Zabriskie—33.

NAYS,

Messrs. Ewing, (Speaker.)
Merkel,

Messrs. Stratton.
Vleit—4.

Ordered. That the Speaker sign the same.

The bill from Council, entitled, A supplement to an act entitled. An act for the limitation of actions, passed the seventh day of February, seventeen hundred and ninety-nine.

Was read a third time.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Annin,
Black,
Booraem,
Carson,
Eayre,
Ellis,
Emley,
Evans,
Ewing, (Speaker,)
J. Foster,
Hancock,
Hopper,

Messrs. Howell,
Lloyd,
Merkel,
Porter,
Potts,
Robbins,
Snowhill,
Stratton,
Townsend,
Vleit,
Voorhees,
West,

Westervelt—25.

NAYS,

Messrs. Coles,
Estell,
Farlee,
N. Foster,
Hillard,
Jackson,
Monro,

Messrs. Nevius,
Pennington,
Seeley,
Stites,
Walling,
Wurts
Zabriskie—14.

Ordered. That the Speaker sign the same.

Ordered. That the Clerk inform Council, that the House have passed said bills,

Without amendment.

The resolution from Council, for the attorney general to examine and report upon the law, relative to the society for promoting useful manufactures, &c.

Was called up, read, and disagreed to.

Ordered, That the Clerk inform Council, that the House have disagreed to said resolution.

The bill from Council entitled, An act to dissolve the marriage contract between George Young, and his wife, Joanna Young,

Was read a second time, considered by section, and ordered a third reading.

On motion, said bill was read a third time.

On the question, shall this bill pass?

It was decided in the negative, as follows:

YEAS,

Messrs. Annin,
Coles,
Estell,
Evans,
J. Foster,

Messrs. Godwin,
Lloyd,
Robbins,
Shinn,
Stites,

Voorhees—11.

NAYS,

Messrs. Black,
Bayre,
Ellis,
Emley,
Ewing, (Speaker.)
Farlee,
N. Foster,
Hancock,
Hopper,
Jackson,
Merkel,

Messrs. Munro,
Nevius,
Pennington,
Porter,
Potts,
Snowhill,
Stratton,
Townsend,
Vleit,
Walling,
Westerveit—22.

The engrossed bill entitled, An act to authorize John Budd, of the county of Morris, to remove the obstructions from the outlet of Budd's lake, in said county of Morris,

Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Annin,
Black,
Carson,
Coles,
Eayre,

Messrs. Ellis,
Emley,
Evans,
Ewing, (Speaker.)
J. Foster,

Messrs. N. Foster,
 Godwin,
 Hancock,
 Hillard,
 Hopper,
 Howell,
 Jackson,
 Lloyd,
 Merkel,
 Monroe,
 Nevius,
 Pennington,
 Porter,
 Potts,

Messrs. Robbins,
 Seeley,
 Shinn,
 Snowhill,
 Stites,
 Stratton,
 Townsend,
 Vleit,
 Voorhees,
 Walling,
 West,
 Westervelt,
 Wurts,
 Zabriskie—38.

NAY,

Mr. Estell.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The engrossed bill entitled, An act for the relief of Lydia Russell,

Was read a third time, and compared.

On the question, shall this bill pass?

It was decided in the negative, as follows :

YEAS,

Messrs. Annin,
 Carson,
 Ellis,
 Evans,
 Farlee,
 J. Foster,
 N. Foster,
 Godwin,
 Hillard,
 Howell,

Messrs. Jackson,
 Lloyd,
 Potts,
 Robbins,
 Shinn,
 Stratton,
 Vleit,
 Walling,
 West,
 Wurts—20.

NAYS,

Messrs. Black,
 Coles,
 Eayre,
 Emley,
 Estell,
 Ewing, (Speaker.)
 Hancock,

Messrs. Hopper,
 Merkel,
 Monroe,
 Nevius,
 Pennington,
 Porter,
 Seeley,

Messrs. Snowhill,
Stites,
Townsend,

Messrs. Voorhees,
Westervelt,
Zabriskie—20.

The bill entitled, An act to divorce Phebe Voorhees, from her husband, Martin Voorhees,

Was read a second time with the accompanying documents, considered by section, and ordered to be engrossed.

Mr. Nevius submitted the following resolution :

Resolved, By the Council and General Assembly of this State, that the Treasurer be authorized to subscribe for three hundred copies of Halsted's Digest of New Jersey Reports, to be delivered in sheets, at such price as shall appear to him to be fair and reasonable.

Which resolution was read, and disagreed to.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have examined the report of the joint committee of the Council and Assembly, appointed to investigate the affairs, and settle the accounts of the State Prison, and have agreed to the said report ; and

That the Council have passed the bill from the House of Assembly, entitled, A supplement to the act entitled, An act to incorporate the Elizabethtown Mutual Fire Assurance Company, passed the tenth day of November, in the year of our Lord, one thousand eight hundred and twelve ; and

The bill from the House of Assembly, entitled, An act concerning the public streets and highways, in the township of Salem, Respectively, without amendment.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

Mr. Black, from the committee appointed to receive proposals for the printing of the Laws, Law Reports, and Votes and Proceedings of the Assembly,

Reported, That they have examined the several proposals submitted to them, and respectfully recommend, that A. W. Philips, be appointed to print the Laws of the present session, at twenty-nine dollars per sheet ; that George Sherman, be appointed to print the Law Reports of the ensuing year, at thirty-two dollars per sheet ; and that Philip J. Gray, of Gloucester county, be appointed to print the Votes and Proceedings of the House of Assembly of the present session, at twenty-five dollars per sheet, upon their respectively giving to the Treasurer of this State, bond, with satis-

factory security for their faithful performance, that said printing shall, in all things, be executed and delivered by them, in a good workmanlike manner, according to law.

By order of the committee,

SAMUEL BLACK, *Chairman.*

Which report was read, and agreed to.

Mr. Hopper, from the committee to whom was referred the petition of inhabitants of the county of Bergen, praying the Legislature to pass a law, increasing the fees of constables,

Reported, That they have considered the subject referred to them, and are of opinion, that it is inexpedient to make such alteration in the law respecting fees, in the courts for the trial of small causes, as is prayed for by the petitioners, and request to be discharged from the further consideration of the subject.

By order of the committee.

ANDREW P. HOPPER, *Chairman.*

Which report was read, and agreed to.

Mr. Wurts, from the committee to whom was referred the memorial of Daniel Coleman, Esq. Secretary of State, complaining of the operation of the seventh section of the supplement to the act, providing for the publication and distribution of the laws and proceedings of the Legislature, passed at the last session, and praying a modification or repeal of the said section,

Reported, That they have examined, and considered the section of the act complained of, and are of opinion, that the provisions contained in it are useful and salutary, and consequently, that it is inexpedient to repeal or modify the said section, as prayed for by the memorialist.

By order of the committee.

ALEXANDER WURTS, *Chairman.*

Which report was read, and agreed to.

Mr. Potts, from the committee to whom was referred sundry petitions from inhabitants of Hunterdon and Somerset, praying a law authorizing the erection of a canal from Hunt's mills, or , in Lebanon township, Hunterdon county, down the river Raritan to Perth Amboy, in the county of Middlesex, by a company, upon such favorable terms as shall be calculated to encourage the undertaking, together with remonstrances against the same,

Reported, That they have given to the subject the serious consideration which is demanded by its importance, and by the various interests with which it is connected, and believe the object, if it can be accomplished without producing deeply injurious consequences to the milling establishments on its route, and can be effected within such reasonable limit of expenditure, as would promise ultimate success, ought to receive the sanction and liberal encouragement of the State. The route of the proposed canal is through a rich agricultural country, abounding in every variety of produce, and capable of furnishing a large amount of trade, and while this would afford grounds for a favorable calculation, in regard to the revenue to be derived by the company, who might construct it, from tolls, it

furnishes all those arguments in favor of its construction, which are deducible from the increase of agricultural productions consequent upon increased facilities to a profitable market, and the corresponding rise in the value of the soil.

Viewed merely as a local improvement, the project under consideration, in proportion to its extent, rests, in many essential respects, upon the same basis, and is supported by the same arguments as those which prompted the undertaking of the great Erie canal, the results of which have been so favorable. But there are many other interesting views, which might be presented, of the importance of this canal, upon which the committee now forbear to dwell. The committee have not had those opportunities of investigation, or those means of information on the subject, since it was submitted to their consideration which would enable them to judge how far the project is divested of difficulty. Or upon which they could found any definite calculations as to the probable expense of the work, or the tolls which might safely be estimated.

The committee, therefore, believing this to be a subject demanding a more full investigation and consideration, than it is possible to bestow upon it at the present session, recommend that the petitioners have leave to present a bill, in accordance with the prayer of their petition, on the second Tuesday of the next session; they first advertising their intention, so to do, for six weeks successively, immediately preceding the time of said application, in one or more of the newspapers, published in the counties of Hunterdon and Somerset.

Which report was read, and agreed to.

Mr. Stites submitted the following resolution:

Resolved, That the Speaker be, and he is hereby authorized and empowered, to convene the General Assembly, at any time during the present session, whenever any extraordinary occasion, shall in his opinion, render it necessary, by publishing the same, and the time of such meeting, in the newspapers, printed in the city of Trenton, in one of the newspapers printed in Morristown, one in Newark, and one in Bridgeton, at least two weeks previous to such time, which shall be deemed sufficient notice to the members of the House for their attendance.

Which resolution was read, and agreed to.

Mr. Potts, submitted the following resolution:

Resolved, By the Council and General Assembly of this State, that the thanks of the Legislature, on behalf of the State of New Jersey, be given to the honorable the mayor and common council of the city of New York, for the prompt and official manner in which they have furnished the information requested, relative to the amount of tonnage, passing between that city and the ports and places on the Delaware and Chesapeake; and that his excellency the Governor, be requested to communicate to them a copy of this resolution.

Which resolution was read, agreed to, the Speaker ordered to sign the same, and the Clerk to carry it to Council, and request their concurrence therein.

The bill entitled, An act to incorporate a company to create a water power, at the city of Trenton and its vicinity, and for other purposes;

The bill intitled, An act to regulate wagons and other wheel carriages, within the State of New Jersey; and

The bill entitled, An act to encourage the breed of horses,

Were severally called up, and postponed to the next session of the Legislature.

The bill entitled, An act to authorize Thomas Benton and Henry Andrew, to convey to William Durant, of the town of Jersey, in the township and county of Bergen, a lot of land therein named,

Was read a second time, the first section disagreed to, and the bill dismissed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have disagreed to the bill from the House of Assembly entitled, An additional supplement to the act entitled, An act to incorporate the Orange and Sussex Canal Company, passed the tenth day of December, eighteen hundred and twenty-three; and

That the Council have passed the bill from the House of Assembly, entitled, An act to raise the sum of forty thousand dollars, for the year one thousand eight hundred and twenty-nine,

Without amendment; and

That the Council have disagreed to the bill from the House of Assembly, entitled, An act for the sale of part of the land at Paterson, belonging to the State.

The bill from Council, entitled, A supplement to an act entitled, An act concerning promissory notes, inland bills of exchange, and notaries public, passed the thirtieth of January, seventeen hundred and ninety-nine,

Was read a third time.

On the question, shall this bill pass?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk inform Council, that the House have passed said bill,

Without amendment.

The engrossed bill entitled, An act to divorce Phebe Voorhees from her husband, Martin Voorhees,

Was read a third time, and compared.

On the question, shall this bill pass.

It was decided in the negative, as follows:

YEAS,

Messrs. Annin,
Booraem,
Carson.

Messrs. Evans,
Voorhees,
Westervelt—6.

NAYS,

Messrs. Black,
 Coles,
 Eayre,
 Ellis,
 Emley,
 Estell,
 Ewing, (Speaker.)
 Farlee,
 J. Foster,
 N. Foster,
 Hancock,
 Hopper,
 Howell,
 Lloyd,
 Merkel,

Messrs. Monro,
 Nevius,
 Pennington,
 Porter,
 Potts,
 Seeley,
 Snowhill,
 Stites,
 Stratton,
 Townsend,
 Vleit,
 Walling,
 West,
 Wurts,
 Zabriskie—30.

Mr. Pennington, from the committee appointed for that purpose, *Reported* a bill entitled, An act to defray incidental charges.

Which bill was read a first and second times, considered by section, and ordered to be engrossed.

The House adjourned to nine o'clock on Monday morning.



MONDAY, February 23, 1829.

Nine o'clock the House met.

Mr. Nevius, from the committee to whom was referred the bill entitled, An act to amend the judiciary system of this State,

Reported the same, without amendment.

Which bill was read, and postponed to the next sitting of the Legislature.

Mr. Seeley, from the committee to whom was referred the petition from inhabitants of Cumberland county, praying for a supplement to the law for the preservation of sheep, by increasing the tax on dogs,

Reported, That they have examined the law on that subject, and inasmuch as the inhabitants of their respective townships have power at their annual town meetings, to lay an additional tax on dogs, not exceeding five dollars each, the committee are of opinion,

that it is unnecessary to make any alteration in the existing laws on that subject.

Which report was read, and agreed to.

Mr. Ellis presented the following resolution :

Resolved, That the Treasurer be authorized and directed to subscribe for two hundred and fifty copies of Halsted's Digest, provided the same can be obtained in pamphlet form, at a sum not exceeding eighty-seven and a half cents per copy.

Which resolution was read, and disagreed to.

The bill entitled, An act to incorporate the Woodstown Fire Engine Company, of Salem county ;

The bill entitled, An act to erect parts of the county of Essex, Bergen and Morris, into a new county, to be called the county of Paterson ;

The bill entitled, An additional supplement to the act entitled, An act to incorporate the Orange and Sussex Canal Company, passed the tenth day of December, eighteen hundred and twenty-three ;

The bill entitled, A further supplement to the act entitled, An act making lands liable to be sold for the payment of debts, passed the eighteenth day of February, seventeen hundred and seventy-nine ;

The bill entitled, An act to incorporate the Paterson and Hudson river Rail-road Company,

Were severally called up, and postponed to the next sitting of the Legislature.

The bill entitled, An act to incorporate the Gloucester Works Company ;

The bill entitled, An act to incorporate the Salem and Delaware Canal Company ;

The bill entitled, An act for the more equal representation of the county of Sussex, in the General Assembly of this State ;

The bill entitled, An act to authorize a bridge over the canal between South river and Raritan river ;

The bill entitled, An act to incorporate the Bordentown Rail-road Company ;

The bill entitled, An act to provide for the construction of a draw in the bridge over South river, in the Bordentown and South Amboy turnpike road, with the report of the committee thereon ;

The bill entitled, An act supplementary to the act entitled, An act relative to the supreme and circuit courts ;

The bill entitled, An act to regulate fees in the courts for the trial of small causes ;

The bill entitled, An act granting assistance to the New Jersey Colonization Society ;

The report of the committee on the petition of the heirs and devisees of Joshua Doty, deceased ;

The report of the committee on the petitions for forming the county of Pompton, out of parts of Bergen and Morris ;

The report of the committee on the application, in eighteen hundred and twenty seven, for forming the county of Washington,

Were severally called up, and dismissed.

A message from Council, by Mr. Coleman, their Secretary, inform the House, that the Council have passed the bill from the House of Assembly, entitled, An act for appointing a trustee to sell and convey the real estate of Thomas Parker, deceased,

Without amendment; and

That the Council have passed the bill from the House of Assembly entitled, An act to authorize the Morris Canal and Banking Company, to borrow money, and for other purposes,

With an amendment.

To which amendment they request the concurrence of the House of Assembly.

Which amendment was read, agreed to, and the bill, as amended, ordered to be re-engrossed.

The House adjourned to three o'clock in the afternoon.



Three o'clock the House met.

The engrossed bill entitled, An act to defray incidental charges, Was read a third time, and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Annin,
Booraem,
Coles,
Ellis,
J. Foster,
Godwin,
Hancock,
Hillard,
Jackson,
Lloyd,
Merkel,
Monro,

Messrs. Nevius,
Pennington,
Porter,
Potts,
Shinn,
Snowhill,
Stites,
Stratton,
Walling,
Westervelt,
Wurts,
Zabriskie—24.

NAYS,

Messrs. Black,
Clifford,
Emley,
Estell,
Evans,
Ewing, (Speaker,)

Messrs. Farlee,
Howell,
Seeley,
Townsend,
Vleit,
West—12.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that it has been passed by this House, and request their concurrence therein.

The re-engrossed bill entitled, An act to authorize the Morris Canal and Banking Company, to borrow money, and for other purposes,

Was read and compared.

On the question, shall this bill pass?

It was carried in the affirmative, as follows:

YEAS,

Messrs. Annin,
Black,
Booraem,
Clifford,
Coles,
Ellis,
Emley,
Estell,
Evans,
Ewing, (Speaker.)
Farlee,
J. Foster,
Godwin,
Hancock,
Hillard,
Hopper,
Howell,

Messrs. Jackson,
Lloyd,
Monro,
Nevius,
Pennington,
Porter,
Potts,
Seeley,
Snowhill,
Stites,
Stratton,
Townsend,
Voorhees,
West,
Westervelt,
Wurts,
Zabriskie—34.

NAY,

Mr. Shinn.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that the amendments made thereto by Council, have been agreed to by this House, and that they have caused said bill to be re-engrossed.

A message from Council, by Mr. Coleman, their Secretary, informed the House, that the Council have passed the bill from the House of Assembly, entitled, An act to incorporate the Evesham and Northampton Manufacturing Company,

With an amendment.

To which amendment they request the concurrence of the House of Assembly.

Which amendment was read, agreed to, and the bill, as amended, ordered to be re-engrossed; and

The message informed, that the Council have passed a bill entitled. An act to repeal an act entitled, A supplement to the act to

establish State Banks in New Jersey, passed January the twenty-eighth, eighteen hundred and twelve : which said supplement was passed the fourteenth day of December, eighteen hundred and twenty-four ; and

A bill entitled, An additional supplement to the act making provision for carrying into effect the act for the punishment of crimes.

To which bill they request the concurrence of the House of Assembly ; and

That the Council have passed the bill from the House of Assembly, entitled, An act to authorize John Budd, of the county of Morris, to remove the obstructions from the outlet of Budd's lake, in said county of Morris,

Without amendment.

The bill from Council, entitled, An act to repeal an act entitled, A supplement to the act to establish State Banks in New Jersey, passed January the twenty-eighth, eighteen hundred and twelve : which said supplement was passed the fourteenth day of December, eighteen hundred and twenty-four,

Was read a first and second times, considered by section, and ordered a third reading.

On motion, said bill was read a third time.

On the question, shall this bill pass ?

It was carried unanimously in the affirmative.

Ordered, That the Speaker sign the same.

O r d e r e d, That the Clerk inform Council that the House have passed said bill,

Without amendment.

The bill from Council, entitled, An additional supplement to the act making provision for carrying into effect the act for the punishment of crimes,

Was read a first and second times, the first section disagreed to, and the Clerk ordered to inform Council that the House have disagreed to said bill.

The re-engrossed bill entitled, An act to incorporate the Eve-sham and Northampton Manufacturing Company,

Was read, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,

Booraem,

Clifford,

Coles,

Emley,

Ellis,

Estell,

Messrs. Evans,

Ewing, (Speaker,)

Farlee,

J. Foster,

Hancock.

Hopper,

Howell.

Messrs. Lloyd,
Merkel,
Monro,
Pennington,
Potts,
Seeley,
Shinn,

Messrs. Stites,
Voorhees,
Walling,
West,
Westervelt,
Wurts,
Zabriskie—28

NAY,

Mr. Robbins.

Ordered, That the Speaker sign the same.

Ordered, That the Clerk carry said bill to Council, inform them that the amendment made thereto by Council, has been agreed to by this House, and that they have caused said bill to be re-engrossed.

The House adjourned to seven o'clock this evening.



Seven o'clock the House met.

A message from Council, by Mr. Hamilton, their Secretary, informed the House, that the Secretary of Council, having resigned his office, the Council have appointed Samuel R. Hamilton, their Secretary; and

That the Council had passed the bill from the House of Assembly, entitled, A supplement to the act entitled, An act for the punishment of crimes, passed February the seventeenth, eighteen hundred and twenty-nine,

Without amendment; and

Have passed the bill from the House entitled, An act to establish common schools,

With amendments.

Which amendments were read, and on the question of agreeing to the same; which amendments, went to alter or to change the third and fourth sections of the act, so as to take from the board of chosen freeholders, the right to order the several townships to raise a sum of money by tax, equal to the amount apportioned to them from the school fund of the State; and to make the said board of chosen freeholders of the several counties, the receivers of the amount of the annual appropriation of the school fund to their respective counties, and to apportion the same at their annual meeting among the several townships, and notify the collectors thereof.

who on the hearing the same, and on condition that the several townships raise at their town meetings an additional sum, then the proportion accruing to the townships, so raising an additional sum, to receive their proportion of the school fund : the yeas and nays, being required were as follows .

YEAS,

Messrs. Annin,
Black,
Clifford,
Emley,
Estell,
Evans,
Ewing, (Speaker.)
Farlee,
J. Foster,
Hancock,
Hillard.
Hopper,

Messrs. Lloyd,
Merkel,
Monro,
Potts,
Robbins,
Seeley,
Snowhill,
Townsend,
Voorhees,
Walling,
West,
Westervelt,

Zabriskie—37.

NAYS,

Messrs. Booraem,
Coles,
Ellis,
Godwin,
Jackson,
Nevius,

Messrs. Pennington,
Porter,
Shinn,
Stites,
Stratton,
Wurts—12.

So the amendments were agreed to, and the bill as amended, was ordered to be re-engrossed ; and

The message informed, that the Council have disagreed to the bill from the House of Assembly, entitled, An act to establish an independant legion in the city of New Brunswick ; and

Also to the resolution from the House, for loaning arms to captain Miller's company, of Newark ; and have passed

The bill from the House entitled, An act for making provision for carrying into effect the act for the punishment of crimes,

Without amendment ; and

The message also informed, that the Council have passed the bill from the House of Assembly, entitled, An act to defray incidental charges,

With an amendment.

To which amendment they request the concurrence of the House of Assembly.

Which amendment was read, agreed to, and the bill as amended ordered to be re-engrossed.

The re-engrossed bill entitled, An act to establish common schools.

Was read and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,	Messrs. Merkel,
Black,	Monro,
Coles,	Pennington,
Ellis,	Porter,
Emley,	Potts,
Estell,	Robbins,
Evans,	Seeley,
Ewing, (Speaker.)	Snowhill,
Farlee,	Townsend,
J. Foster,	Voorhees,
Hancock,	Walling,
Hopper,	West,
Jackson,	Westervelt,
Lloyd,	Zabriskie—28.

NAYS,

Messrs. Booraem,	Messrs. Nevius,
Clifford,	Shinn,
Godwin,	Stites—6.

Ordered, That the Speaker sign the same.

The re-engrossed bill entitled, An act to defray incidental charges,

Was read, and compared.

On the question, shall this bill pass ?

It was carried in the affirmative, as follows :

YEAS,

Messrs. Annin,	Messrs. Monro,
Black,	Nevius,
Booraem,	Pennington,
Coles,	Porter,
Ellis,	Potts,
Emley,	Robbins,
Estell,	Seeley,
Evans,	Shinn,
Ewing, (Speaker.)	Snowhill,
J. Foster,	Stites,
Godwin,	Stratton,
Hancock,	Townsend,
Hopper,	Voorhees,
Jackson,	West,
Lloyd,	Westervelt,
Merkel,	Wurts,

Zabriskie—33.

NAYS,

Messrs. Clifford,

Messrs. Walling—2.

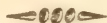
Ordered, That the Speaker sign the same.*Ordered*, That the Clerk carry said bill to Council, inform them that the amendments made thereto by Council, have been agreed to by this House, and that they have caused said bills to be re-engrossed.

A message from Council, by Mr Hamilton, their Secretary, informed the House, that the Council have passed a resolution, requesting the Governor of this State, to make application to the general government, to cause a survey and exploration of the route of the contemplated Delaware and Raritan Canal, to be made by the board of engineers of the United States.

To which resolution, they request the concurrence of the House of Assembly.

Which resolution was read, and ordered to lie on the table.

The House adjourned to seven o'clock to-morrow morning.



TUESDAY, February 24, 1829.

Seven o'clock the House met.

The resolution from Council, requesting the Governor to apply to the general government, for the United States' engineers to survey the route of the Delaware and Raritan Canal,

Was called up, amended, and agreed to; and

Ordered, That the Clerk inform Council, that the House have passed said resolution,

With an amendment.

To which amendment, they request the concurrence of the Council.

Mr. Potts submitted the following resolution :

Resolved, That the Treasurer be directed to cause fifteen hundred copies of the act to establish common schools, to be printed in pamphlet form, and distribute the same to the several townships in this State, for the use of the officers thereof.

Which resolution was read, and agreed to.

Mr. Black submitted the following resolution :

Resolved, That the thanks of this House be presented to the honorable William B. Ewing, for the able, dignified, and impartial

manner, in which he has discharged the duties of Speaker, during the present session of the Legislature.

Which resolution was read, and agreed to *nem. con.*

Whereupon the Speaker rose, and made an appropriate reply.

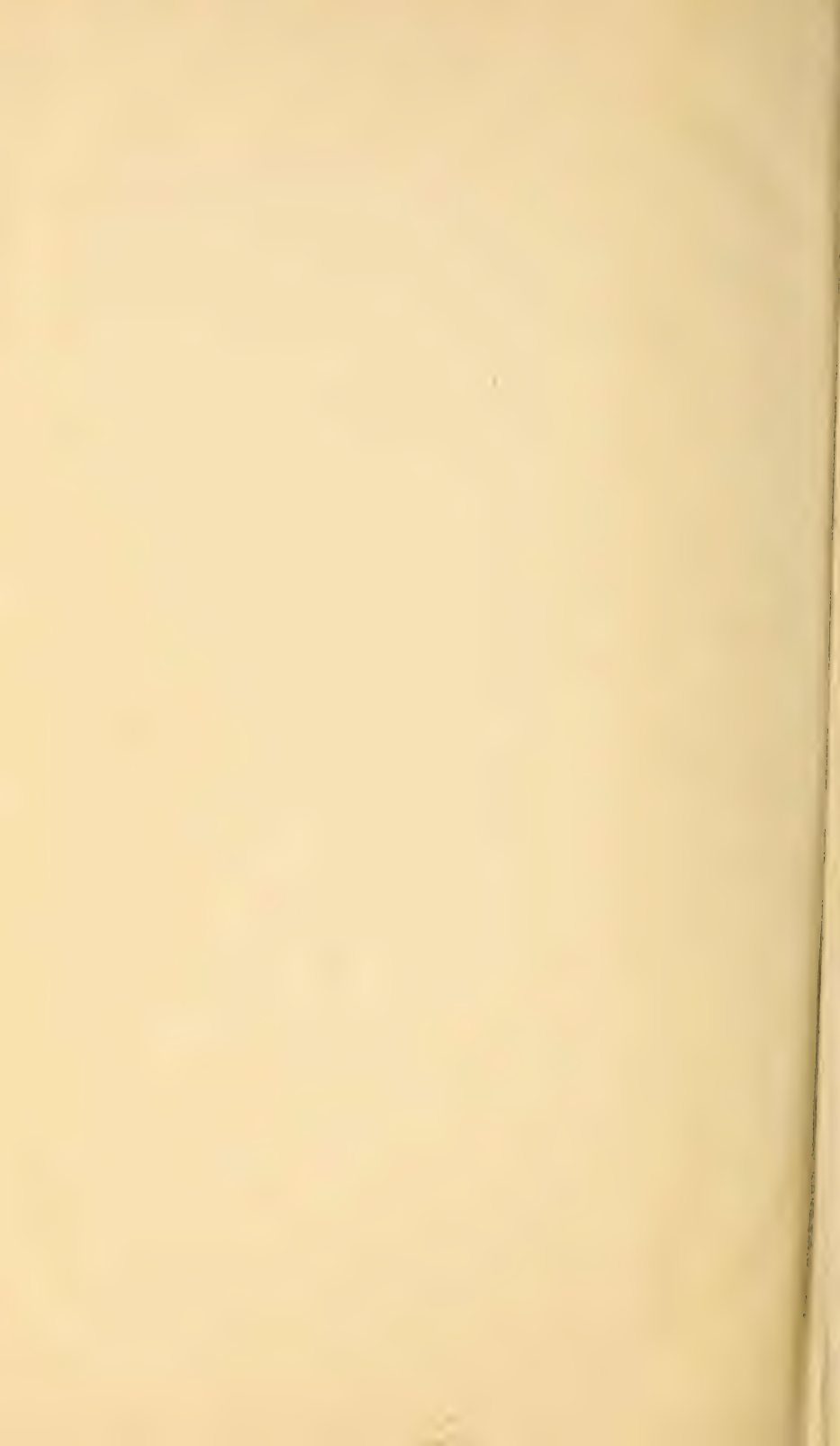
A message from Council, by Mr. Hamilton, their Secretary, informed the House, that the Council have agreed to the amendment of the House of Assembly, to the resolution from Council, authorizing the Governor to apply to the general government for the United States to survey the route of the contemplated Delaware and Raritan Canal,

And have caused said resolution to be re-engrossed.

On motion, the sitting of the House of Assembly was concluded with prayer, by the Rev Mr. Hancock.

The House adjourned *sine die*.





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